

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

257

CRM-M-10062-2023

Date of Decision:25.04.2023

Mahabir

.....Petitioner

Vs.

State of Haryana and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Kamal Kumar Mor, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Rishi Lal, Advocate for
respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.12 dated 04.01.2023 registered under Section 506 of the IPC and Section 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Barauda, District Sonipat and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 21.02.2023 (Annexure P-2) and 21.02.2023 (Annexure P-3) respectively.

This Court vide order dated 24.02.2023 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before Learned Sub Divisional Judicial Magistrate and got their statements recorded. On the basis of the statements so recorded,

Learned Magistrate has submitted report dated 13.03.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.12 dated 04.01.2023 registered under Section 506 of the IPC and Section 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Barauda, District Sonipat and all subsequent proceedings arising therefrom on the basis of compromise and affidavit dated 21.02.2023 (Annexure P-2) and 21.02.2023 (Annexure P-3) respectively, are quashed qua the petitioner.

April 25, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No