

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

242 (03 cases)

CRM-M-8915-2020

Date of Decision:07.02.2023

Naresh Dhanda

Petitioner

Vs.

State of Haryana and anr.

Respondents

CRM-M-8632-2020

Sonu Dhanda

Petitioner

Vs.

State of Haryana and anr.

Respondents

CRM-M-8919-2020

Dev Sharma @ Sandeep

Petitioner

Vs.

State of Haryana

Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Gagandeep Singh, Advocate
for the petitioner(s).

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Nonish Kumar, Advocate for respondent No.2.

DEEPAK GUPTA, J.

Prayer in all the above-said petitions filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.28 dated 10.01.2019 registered under Sections 406, 420, 506 & 34 of the Indian Penal Code, 1860 registered at Police Station Civil Lines, Karnal, District Karnal and all subsequent proceedings arising therefrom on the basis of compromise dated 19.12.2019 as (Annexure P-2).

Respondent No.2 namely Shamsher singh is the

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complainant. Vide order dated 02.03.2020 parties along with Investigating Officer were directed to appear before Learned Illaqa Magistrate/Trial Court for getting their statements recorded regarding the compromise, in CRM-M-8915-2020; CRM-M-8632-2020 and CRM-M-8919-2020 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 Additional Sessions Judge, Karnal and got their statements recorded. On the basis of the statements so recorded, Learned Additional Sessions Judge has submitted report dated 25.05.2020 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***, these petitions are allowed and F.I.R. No.28

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dated 10.01.2019 registered under Sections 406, 420, 506 & 34 of the Indian Penal Code, 1860 registered at Police Station Civil Lines, Karnal, District Karnal and all subsequent proceedings arising therefrom on the basis of compromise dated 19.12.2019 as (Annexure P-2), are quashed.

A photocopy of this order be placed on the connected case files.

February 07, 2023
Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

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