

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

CRM-M No.11467 of 2023

Date of decision: 04.05.2023

Manish @ Denu and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rakesh Nehra, Senior Advocate with
Mr. Anil K. Sokal, Advocate,
Mr. Ankit Yadav, Advocate and
Mr. Vikas Kumar Rana, Advocate
for the petitioners.

Ms. Svaneel Jaswal, Addl. A.G., Haryana.

Mr. Ankur Dua, Advocate for
Mr. Sauhard Singh, Advocate
for respondents No.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.383, dated 08.10.2019, under Sections 392, 397 of Indian Penal Code, 1860 and Section 25 of Arms Act, 1985, registered at Police Station Rai, District Sonapat and all the consequential proceedings arising out of the same, on the basis of compromise dated 09.02.2023 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 09.03.2023 of this Court, the parties were directed to appear before the learned Trial Court/Illaq Magistrate on 10.04.2023 or any other date thereafter as may be convenient to the Court to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned District & Sessions Judge, Sonipat, in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is stated to have been voluntarily arrived at, without any threat or pressure. The complainant has also made a statement to the effect that he would have no objection if the FIR qua the accused-petitioners is quashed.

4. The Trial Court has annexed photocopies of statements of the parties alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 and 3 are the only aggrieved persons in the FIR in question.

6. In view of the report of the District & Sessions Judge, Sonipat and the principles laid down by the Apex Court in ***Gian Singh Vs. State of Punjab and others* (2012) 10 SCC 303**, and also by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Punjab and another*, 2007(3) RCR (Criminal) 1052**, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

04.05.2023

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No