

262 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13116-2023

Date of Decision:13.09.2023

Digamber Bisht

...Petitioner

vs.

State of Haryana and another

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Aditya Jain, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

Mr. Angel Sharma, Advocate
for respondent No.2-complainant.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No.452 dated 29.11.2022 under Section 408 of IPC, 1860 (Sections 411, 201, 34 of IPC added later on), registered at Police Station Sector-31, Faridabad, District Faridabad alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 31.01.2023/01.02.2023(Annexure P-4).

2. Vide order dated 31.05.2023, a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 31.01.2023/01.02.2023(Annexure P-4).

3. Pursuant to aforesaid order, the parties have appeared before the Additional Chief Judicial Magistrate, Faridabad and got their statements

recorded. Report dated 17.07.2023 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.

6. Resultantly, FIR No.452 dated 29.11.2022 under Section 408 of IPC, 1860 (Sections 411, 201, 34 of IPC added later on), registered at Police Station Sector-31, Faridabad, District Faridabad alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 31.01.2023/01.02.2023 are hereby quashed qua the present petitioner.

(N.S.SHEKHAWAT)
JUDGE

13.09.2023
hemlata

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