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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-11858 of 2023****Date of decision: 25.07.2023**

Krishan and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**Present:** Mr. M.M. Pandey, Advocate,
for the petitioners.

Ms. Jasleen Chahal, AAG, Haryana.

Mr. Sushil Verma, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 482 Cr.PC for quashing of protest petition i.e. COMI 77 of 2016 dated 06.06.2016, under Sections 323, 324, 326 and 506 read with Section 34 IPC pending before Civil Judge (Sr. Divn.)-cum-ACJM Sirsa (Annexure P-1), and summoning order dated 01.02.2022 (Annexure P-2) with further prayer for quashing of FIR No.48, dated 12.03.2016, under Sections 323, 324, 326, 506 read with 34 IPC (Annexure P-3), registered at Police Station Sadar Sirsa, District Sirsa, along with all subsequent proceedings arising therefrom on the basis of compromise arrived at between the parties.

2. Vide order dated 15.03.2023 of this Court, the parties were directed to move an application before the learned trial Court/Illaq Magistrate concerned to get their statements recorded regarding the compromise arrived at, between them.

3. Report dated 05.05.2023 has since been received from the learned Addl. Chief Judicial Magistrate, Sirsa in pursuance of the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will. The trial Court has annexed the statements of the parties in original alongwith its report.

4. Learned State counsel also submits that there are no other accused other than the petitioners, since co-accused Sawaran alias Sharwan son of Kanshi Ram, alongwith whom they were summoned by the Court, has expired on 09.05.2018 and respondent No.2 is the complainant.

4. In view of the report of the learned Addl. Chief Judicial Magistrate, Sirsa 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 protest petition, summoning order, FIR and all consequential proceedings arising out of the same, are quashed qua the petitioners.

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

25.07.2023

Satyawan

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No