

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

279

CRM-M-12269-2023

Date of Decision:19.07.2023

Amit Kumar and Others

.....Petitioners

Vs.

State of Haryana and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Geeta Rani, Advocate for
Mr. Pawan Kumar Hooda, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

None for respondent Nos.2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.95 dated 18.02.2021 registered under Sections 323, 341, 427, 506/34 of the IPC, 1860 and Section 3(1)(s) of SC and ST Act, 1989 (Sections 307, 325 of the IPC and Section 3(2)(v) of SC and ST Act, 1989 added later on) registered at Police Station Samalkha, District Panipat and all subsequent proceedings arising therefrom on the basis of compromise dated 02.03.2023 (Annexure P-2).

This Court vide order dated 23.03.2023 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 Additional District & Sessions Judge and got their statements

recorded. On the basis of the statements so recorded, Learned Additional District & Sessions Judge has submitted report dated 18.05.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State counsel has 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.95 dated 18.02.2021 registered under Sections 323, 341, 427, 506/34 of the IPC, 1860 and Section 3(1)(s) of SC and ST Act, 1989 (Sections 307, 325 of the IPC and Section 3(2)(v) of SC and ST Act, 1989 added later on) registered at Police Station Samalkha, District Panipat and all subsequent proceedings arising therefrom on the basis of compromise dated 02.03.2023 (Annexure P-2), are quashed qua the petitioners.

July 19, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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