

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-14920-2022

Date of Decision:25.04.2023

Parveen Kumar and Another

.....Petitioners

Vs.

State of Haryana and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Baljeet Nain, Advocate for
Mr. Ashish Sindher, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Rishi Lal, Advocate for
Mr. Rajesh Duhan, Advocate
for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.109 dated 04.08.2021 registered under Sections 363, 366 of the IPC (in report under Section 173 Cr.P.C. police deleted Sections 363, 366 of the IPC and Sections 323, 34, 341, 506 of the IPC were added) registered at Police Station Bapoli, District Panipat and all subsequent proceedings arising therefrom on the basis of compromise dated 04.03.2022 (Annexure P-3).

This Court vide order dated 13.02.2023 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 Judicial Magistrate 1st Class and got their statements

recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 09.03.2023 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*, this petition is allowed and F.I.R. No.109 dated 04.08.2021 registered under Sections 363, 366 of the IPC (in report under Section 173 Cr.P.C. police deleted Sections 363, 366 of the IPC and Sections 323, 34, 341, 506 of the IPC were added) registered at Police Station Bapoli, District Panipat and all subsequent proceedings arising therefrom on the basis of compromise dated 04.03.2022 (Annexure P-3), are quashed qua the petitioners.

April 25, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No