

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

277

CRM-M-17751-2023

Date of Decision:27.07.2023

Amit Kumar and Others

.....Petitioners

Vs.

State of Haryana and Others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Manoj Kumar Pundhir, Advocate
for the petitioners.

Mr. Vipul Sherwal, AAG, Haryana.

Mr. Jogendra Singh, Advocate 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.159 dated 23.02.2019 registered under Sections 323, 342, 384, 34 of the IPC, 1860 & Section 83 of Juvenile of Justice Act, 2015 registered at Police Station Karnal Civil Lines, District Karnal and all subsequent proceedings arising therefrom on the basis of compromise dated 28.03.2023 (Annexure P-2).

This Court vide order dated 13.04.2023 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 29.05.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State as well as learned counsel for respondent Nos.2 & 3 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.159 dated 23.02.2019 registered under Sections 323, 342, 384, 34 of the IPC, 1860 & Section 83 of Juvenile of Justice Act, 2015 registered at Police Station Karnal Civil Lines, District Karnal and all subsequent proceedings arising therefrom on the basis of compromise dated 28.03.2023 (Annexure P-2), are quashed qua the petitioners.

July 27, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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