

**249 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-17950-2022

Date of Decision: January 25, 2023

Kulwant Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Kiran Bala Jain, Advocate for the petitioner.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

Ms. Pushpa Gupta, Advocate
for respondent No.2-complainant.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 482 Cr.P.C., petitioner has prayed to quash FIR No.650, dated 23.07.2020, registered at Police Station Jagadhari City, District Yamuna Nagar, under Sections 406, 420, 370, 384 and 506 of IPC (Annexure P-1) on the basis of compromise dated 19.04.2022 (Annexure P-2) and all the consequential proceedings arising therefrom.

2. As per order dated 11.11.2022, both the parties were directed to appear before the Trial Court for getting their statements recorded. Report of learned Additional Sessions Judge, Yamuna Nagar at Jagadhri, dated 30.11.2022 has been received, as per which petitioner Kulwant Singh was involved in three other cases bearing FIR No.164, dated 30.07.2020, registered under Sections 406, 420 IPC and 24 of the Immigration Act, at Police Station Ismailabad, District Kurukshetra; FIR No.227, dated 05.07.2020, registered under Sections 406, 420 IPC and 24 of the Immigration Act, at Police Station Kurukshetra; and FIR No.75,

dated 04.06.2020, registered under Sections 406, 420, 370, 120-B IPC, at Police Station Nangal, District Amabala.

3. Learned counsel for the petitioner has placed on record the copies of the judgments dated 27.07.2021 and 17.12.2021 of the Trial Court revealing that petitioner has already been acquitted in case FIR No.164, dated 30.07.2020 and FIR No.227, dated 05.06.2020. Learned counsel has further placed the copies of the statements of witnesses made during trial in case FIR No.75, dated 04.06.2020, revealing that they have already turned hostile. No purpose would be served by keeping the trial pending to these cases.

4. As per report of learned Additional Sessions Judge dated 30.11.2022, the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

5. Respondent No.2-complainant, namely, Satbir had made his statement with regard to compromise before learned Additional Sessions Judge, Jagadhri on 24.11.2022.

6. Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

7. 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)***

CRM-M-17950-2022

10 SCC 303, this petition is allowed and FIR No.650, dated 23.07.2020, registered at Police Station Jagadhari City, District Yamuna Nagar, under Sections 406, 420, 370, 384 and 506 of IPC (Annexure P-1) on the basis of compromise dated 19.04.2022 (Annexure P-2) and all the consequential proceedings arising therefrom, are quashed.

Disposed of.

January 25, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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