

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

276

CRM-M-17823-2023

Date of decision: 04.10.2023

Vikas Kumar

....Petitioner

V/s

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Neeraj Sheoran, Advocate, for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

Mr. Gagandeep Sanwal, Advocate, for respondent No.2.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.406 dated 19.12.2020, registered at Police Station Sector-9A, Gurugram, District Gurugram, under Sections 279, 336, 427, 307 IPC (added later on) and all the subsequent proceedings arising therefrom, on the basis of compromise dated 31.03.2023 (Annexure P-2).

This Court vide order dated 27.07.2023 had directed the parties to appear before the trial Court/Area Magistrate 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 and Sessions Judge, Gurugram, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.08.2023 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.406 dated 19.12.2020, registered at Police Station Sector-9A, Gurugram, District Gurugram, under Sections 279, 336, 427, 307 IPC (added later on) and all the subsequent proceedings arising therefrom, on the basis of compromise dated 31.03.2023 (Annexure P-2), are quashed.

(DEEPAK GUPTA)
JUDGE

October 04, 2023
vcgarg

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