

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-20716-2023

Date of decision: 03.10.2023

Shorabh @ Bholi @ Saurav and others

....Petitioners

V/s

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Dr. Deipa Singh, Advocate, for the petitioners.

Mr. Karan Sharma, DAG, Haryana.

Dr. Harleen Kaur, 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.0361 dated 17.11.2022, registered at Police Station Sadar Palwal, District Palwal, under Sections 148, 149, 323, 324, 506 IPC (Section 307 IPC added later on) along with all subsequent proceedings arising therefrom, on the basis of compromise dated 03.04.2023 (Annexure P.2).

This Court vide order dated 03.08.2023 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 Chief Judicial Magistrate, Palwal, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 26.08.2023 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.0361 dated 17.11.2022, registered at Police Station Sadar Palwal, District Palwal, under Sections 148, 149, 323, 324, 506 IPC (Section 307 IPC added later on) along with all subsequent proceedings arising therefrom, on the basis of compromise dated 03.04.2023 (Annexure P-2), are quashed.

(DEEPAK GUPTA)
JUDGE

October 03, 2023
vcgarg

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No