

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

303

CRM-M-23299-2023
Date of Decision:18.08.2023

Gaurav and Others
Vs.
State of Haryana and Another

.....Petitioners
.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Inderjeet Singh, Advocate
for the petitioners.

Mr. Vipul Sherwal, AAG, Haryana.

Mr. Sidhant Bhonsle, 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.337 dated 05.09.2022 registered under Sections 148, 149, 323, 427, 452 & 506 of the IPC registered at Police Station Bilaspur, District Yamuna Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 27.04.2023 (Annexure P-2).

This Court vide order dated 08.05.2023 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 Sub Divisional Judicial Magistrate and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 03.07.2023 to the effect that the compromise has

been effected between petitioner Nos.2 to 4 and respondent No.2 voluntarily and without any coercion or undue influence. It has also been mentioned in the report that petitioner Nos.1 & 5 did not appear before the Trial Court for getting the statements recorded regarding compromise.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between petitioner Nos.2 to 4 and respondent No.2.

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.337 dated 05.09.2022 registered under Sections 148, 149, 323, 427, 452 & 506 of the IPC registered at Police Station Bilaspur, District Yamuna Nagar and all subsequent proceedings arising therefrom on the basis of compromise dated 27.04.2023 (Annexure P-2), are quashed qua petitioner Nos.2 to 4.

August 18, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

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