

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

258

CRM-M-23053-2023

Date of decision: 31.07.2023

Sunil @ Sunil Kumar and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.P. Jangu, Advocate
for the petitioners.

Ms. Jasleen Chahal, AAG, Haryana
for respondent No.1-State.

Mr. DPS Jaura, Advocate for
Mr. R.S. Malik, Advocate
for respondents No.2 to 7.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.123 dated 15.08.2022 under Sections 323, 34, 341, 452 and 506 of the IPC (Section 325 of the IPC added lateron) registered at Police Station Machhroli, District Jhajjar and all consequential proceedings arising out of the same, on the basis of compromise dated 01.05.2023 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 08.05.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 31.05.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Civil Judge (Sr. Divn.)-cum-ACJM, Jhajjar, in pursuance of the directions of this

Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainants have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 to 7 are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Civil Judge (Sr. Divn.)-cum-ACJM, Jhajjar and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

31.07.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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