

279 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-23302-2023 (O&M)
Date of Decision:22.08.2023

Shobharam and others

...Petitioners

VS.

State of Haryana and another

...Respondents

Coram : Hon'ble Mr. Justice N.S.ShekhawatPresent : Mr. Azad Khan, Advocate
for the petitioners.

Mr. Gaurav Gurcharan Dass Rai, DAG, Haryana.

Mr. Aazam Khan, Advocate for
Ms. Diksha, Advocate
for respondent No.2-complainant.

N.S.Shekhawat J. (Oral)**CRM-20895-2023**

Application is allowed as prayed for subject to just exceptions.

CRM-M-23302-2023

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No.599 dated 13.11.2018 under Sections 147, 149, 323, 427, 506 of IPC, registered at Police Station Sector-5, District Gurgaon/Gurugram (Annexure P-3) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 11.04.2023 (Annexure P-4).
2. Vide order dated 08.05.2023, a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate

for getting their statements recorded with respect to the compromise (Annexure P-4).

3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate 1st Class, Gurugram and got their statements recorded. Report dated 14.07.2023 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.

6. Resultantly, FIR No.599 dated 13.11.2018 under Sections 147, 149, 323, 427, 506 of IPC, registered at Police Station Sector-5, District Gurgaon/Gurugram (Annexure P-3) alongwith all consequential proceedings arising therefrom on the basis of compromise dated 11.04.2023 (Annexure P-4) are hereby quashed qua the petitioners.

(N.S.SHEKHAWAT)
JUDGE

22.08.2023
hemlata

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