

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.23674 of 2023
Date of decision: 2nd August, 2023

Kundan Lal

... Petitioner

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Narender Kaajla, Advocate for the petitioner.

Ms. Jasleen Chahal, Asst. Advocate General, Haryana
for the respondent/State.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.586 dated 02.10.2016 (Annexure P-1) under Sections 406, 420, 506, 34 IPC registered at Police Station City Fatehabad, District Fatehabad along with all consequential proceedings arising therefrom on the basis of compromise dated 02.05.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 10.05.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 05.07.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Chief Judicial Magistrate, Fatehabad, in pursuance of the direction 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 petitioner as well as the complainant and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR qua the accused-petitioner is quashed. It has been stated in the report that co-accused Shivender Kumar was declared proclaimed person by the investigating agency vide order dated 20.03.2023.

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 petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Chief Judicial Magistrate, Fatehabad 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 v. 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 qua the petitioner.

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

(MANJARI NEHRU KAUL)
JUDGE

August 2, 2023

rps

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