

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:114398
CRM-M-23994-2023
Date of Decision: August 31, 2023

Mohammad Abuzar Sayeed ...Petitioner

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vikas, Advocate for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

None for respondent Nos.2 and 3.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0259 dated 21.07.2022, registered under Sections 279 and 337 of IPC at Police Station Madhuban, District Karnala and all subsequent proceedings arising therefrom qua the petitioner on the basis of compromise dated 12.04.2023.

This Court vide order dated 02.06.2023 passed in CRM-24346-2023 had directed the parties to appear before the Trial Court/Ilaqa Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Addl. Cheif Judicial Magistrate, Karnal and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 21.07.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

- 2 -

Statement of respondent Nos.2 and 3, namely, Gyanu Thapa and Rabin Gurung were recorded with regard to the compromise before learned Magistrate on 17.07.2023.

Learned State counsel has 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.0259 dated 21.07.2022, registered under Sections 279 and 337 of IPC at Police Station Madhuban, District Karnala and all subsequent proceedings arising therefrom qua the petitioner on the basis of compromise dated 12.04.2023, are hereby quashed.

August 31, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No