

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.26965 of 2023
Date of decision: 27th September, 2023

Ashok Kumar

... Petitioner

Versus

State of Haryana & others

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.116 dated 10.03.2021 (Annexure P-1) under Sections 279, 337 IPC (Section 338 IPC added later on) pertaining to Police Station City Tohana, District Fatehabad along with all consequential proceedings arising therefrom on the basis of compromise dated 12.05.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 18.08.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 29.08.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Sub Divisional Judicial Magistrate, Tohana, 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 parties 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.

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

5. A perusal of the record reveals that there are no other accused other than the petitioner, and respondents No.2 and 3 are the only aggrieved persons in the FIR in question.

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Tohana 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 qua the petitioner, are quashed.

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

September 27, 2023
rps

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