

309 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:139107
CRM-M-27249-2023
Date of Decision: October 31, 2023

Tinu and another ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lokesh Sharma, Advocate for the petitioners.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Sumit Sharma, Advocate for respondent No.2.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.234 dated 18.10.2019, under Sections 307, 34 of IPC and Section 25 of the Arms Act, 1959, registered at Police Station Line Par, Bahadurgarh, District Jhajjar [Section 3 of the SC and ST Act, 1989 added later on] and all subsequent proceedings arising therefrom on the basis of compromise dated 08.05.2023 (Annexure P-2).

2. This Court vide order dated 03.08.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before learned Addl. District and Sessions Judge, Jhajjar and got their statements recorded. On the basis of the statements so recorded, learned Judge has submitted report dated 20.09.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Statement of Respondent No.2-complainant, namely, Kamaljeet with regard to compromise was recorded before learned Addl. Sessions Judge on 16.09.2023.

5. Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. 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.234 dated 18.10.2019, under Sections 307, 34 of IPC and Section 25 of the Arms Act, 1959, registered at Police Station Line Par, Bahadurgarh, District Jhajjar [Section 3 of the SC and ST Act, 1989 added later on] and all subsequent proceedings arising therefrom on the basis of compromise dated 08.05.2023 (Annexure P-2) qua petitioner(s), are hereby quashed.

October 31, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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