

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

274

CRM-M-27837-2023 (O&M)

Date of decision: 11.09.2023

Balbir Singh and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashit Malik, Advocate
for the petitioners.

Ms. Trishanjali Sharma, DAG, Haryana
for respondent No.1-State.

Mr. Gautam Kumar, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.409 dated 28.11.2021 under Sections 120B, 341, 506 of the Indian Penal Code, 1860 and Sections 3(2), (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Ganaur, District Sonapat and all consequential proceedings arising out of the same, on the basis of compromise dated 07.05.2023 (Annexure P-3) arrived at, between the parties.

2. Vide order dated 02.06.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 17.07.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Additional District & Sessions Judge, Sonipat, in pursuance of the directions 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 complainants have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed copies of statements of the parties alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners 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 Additional District & Sessions Judge, Sonipat 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 Vs. 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.

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

11.09.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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