

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32365-2021

Date of Decision: 09.03.2023

Pradhuman Dave @ Pradhuman Udaybhai Dave Petitioner

Versus

State of Haryana and another Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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Present: Mr. Tarurag Gaur, Advocate
for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

Mr. Varun Suman, Advocate for
Mr. Gopal Sharma, Advocate
for the complainant/respondent No.2.

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MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.146 dated 18.10.2019 under Sections 406, 420, 506 IPC registered at Police Station Panjokhra, Ambala (Annexure P1) along with all consequential proceedings arising therefrom on the basis of compromise dated 11.12.2020 (Annexure P2 effected between the parties.

Vide order dated 12.08.2021 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, 1st Class, Naraingarh, 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 influence 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.

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

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.

In view of the report of the learned Judicial Magistrate, 1st Class, Naraingarh, 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.

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

09.03.2023

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Note: Whether speaking/reasoned
Whether Reportable:

(MANJARI NEHRU KAUL)
JUDGE

Yes / No
Yes / No