

284 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33197-2021 (O & M)
Date of decision: 29.11.2023

MOHIT

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. Parveen Bhadu, AAG, Haryana.

Mr. Gaurav Singla, 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.101 dated 11.03.2021, registered under Sections 395, 397 of IPC at Police Station Pataudi, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 13.03.2021.

2. On the last date of hearing, learned State counsel had raised serious objection regarding quashing of FIR on the basis of compromise by pointing out that offences under Sections 395 and 397 of IPC are involved which are quite heinous.

3. Today, learned counsel for the petitioner has placed on record copy of order dated 09.09.2021 bearing No.*CRM-M-13153 of 2021 (O & M)* titled as *Yoginder @ Mass versus State of Haryana and another* passed by a Co-ordinate Bench of this Court, whereby, the same FIR qua the co-accused was ordered to be quashed on the basis of compromise. Learned counsel

further placed on record copy of another order dated 17.07.2023, passed by this Court in case bearing No.**CRM-M-15982 of 2023** titled as ***Rahul and others versus State of Haryana and another***, whereby, present FIR qua other co-accused Rahul and others was allowed to be quashed on the basis of compromise.

4. In view of the aforesaid fact that FIR qua the co-accused has already been quashed on the basis of compromise, the petitioner cannot be treated differently.

5. Report has already been received from the trial Court. Statements of parties have already been recorded before learned Judicial Magistrate Ist Class, Pataudi. On the basis of the statements so recorded, learned Magistrate has submitted report dated 24.04.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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

7. 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.101 dated 11.03.2021, registered under Sections 395, 397 of IPC at Police Station Pataudi, District Gurugram and all subsequent

proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

November 29, 2023
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(DEEPAK GUPTA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No