

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

259

2023:PHHC:117291

CRM-M-29205-2023

Date of decision: September 6th, 2023

Yogesh Saini

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Tarun Sharma, Advocate
for the petitioner.

Mr. Karan Jindal, Assistant Advocate General, Haryana.

Mr. R.K. Dadwal, Advocate
for Mr. Manvender Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner in the instant petition filed under Section 482 Cr.P.C. is seeking quashing of FIR No.126 dated 28.03.2021 (Annexure P-1) under Sections 380, 457 IPC pertaining to Police Station Baldev Nagar, District Ambala, along with all subsequent proceedings arising therefrom.

Vide order dated 28.07.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 16.08.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate Ist Class, Ambala, 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 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, along with 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 Ist Class, Ambala, 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.

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

September 6th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No