IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

265 **CRM-M-28980-2023**

Date of decision: 31.08.2023

Ravinder Kumar

....Petitioner

V/s

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Saransh Sabharwal, Advocate for the petitioner.

Mr. Karan Garg AAG Haryana.

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

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ARUN MONGA, J. (Oral)

Petitioner seeks quashing of FIR No.0360 dated 09.08.2022 (Annexure P-1), registered under Section 75 of Juvenile Justice (Care and Protection of Children) Act 2015 and 323 IPC, at Police Station Sector 5, District Panchkula and all subsequent proceedings arising therefrom, on the basis of compromise dated 30.05.2023 (Annexure P-2), which is stated to have been effected between the parties.

2. Since quashing was sought on the basis of compromise, this Court vide order dated 02.06.2023 had directed the parties to appear before the *Illaqa* Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 20.07.2023 of learned Chief Judicial Magistrate, Panchkula, had been received. Report reveals that statements of complainant party i.e., respondent No.2 as also of accused/present petitioner herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of

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parties. It is apparent that the complainant/respondent No.2 and accused/petitioner herein, have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondent No.2 states that he would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated29.09.2021 of the Supreme Court in case titled "***Ramgopal and anr. V. The State of Madhya Pradesh"***[1] and a Full Bench decision of this Court in "***Kulwinder Singh and others V. State of Punjab and others***[2]***"***.

6. In the premise, it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

7. Petition is thus allowed. FIR No.0360 dated 09.08.2022 (Annexure P-1), registered under Section 75 of Juvenile Justice (Care and Protection of Children) Act 2015 and 323 IPC, at Police Station Sector 5, District Panchkula and all subsequent proceedings emanating therefrom, stand quashed.

8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

August 31, 2023
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

[1]Criminal Appeal No.1489 of 2012
[2]2007 (3) RCR (Criminal) 1052

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