301 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:139116
CRM-M-35569-2021
Date of Decision: October 31, 2023

Ankit Kapoor and others …Petitioners

Versus

State of Haryana and others …Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Satish Garg, Advocate for the petitioners.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

None for respondent Nos.2 to 5.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.109 dated 22.03.2021, under Sections 406, 420, 180, 472, 506 and 34 of IPC (Sections 180, 472 and 506 IPC added later on), registered at Police Station Kotwali Faridabad, District Faridabad and all subsequent proceedings arising therefrom on the basis of compromise.

2. This Court vide order dated 15.03.2023 had directed the parties to appear before the Trial Court/Illaqa Magistrate to get their statements recorded and the learned Magistrate was directed to send his/her report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Faridabad and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 12.09.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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4. Statements of Respondent No.2-complainant, namely, Tanuja as well as other witnesses, i.e. respondent Nos.3 to 5 with regard to compromise were recorded before learned Magistrate on 31.03.2023.

5. Learned State counsel as well as learned counsel does not dispute the factum of compromise between the parties.

6. 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.109 dated 22.03.2021, under Sections 406, 420, 180, 472, 506 and 34 of IPC (Sections 180, 472 and 506 IPC added later on), registered at Police Station Kotwali Faridabad, District Faridabad and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

October 31, 2023 (DEEPAK GUPTA)
sarita JUDGE

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

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