

S. No.308

2023:PHHC:152426

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

CRM-M-30054 of 2023

Date of Decision:30.11.2023

Sandeep Kumar and others

.....Petitioners

Vs.

State of Haryana and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Tejas Bansal, Advocate for the petitioners.

Mr. Sumit Jain, Addl. AG, Haryana.

Mr. Sanjiv Kumar Aggarwal, Advocate and

Mr. Ojas Bansal, 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.974 dated 30.09.2018 registered under Sections 148, 149, 323, 427 and 506 IPC at Police Station Sirsa City, District Sirsa along with all subsequent proceedings arising therefrom, on the basis of compromise dated 22.05.2023 (Annexure P.2).

This Court vide order dated 03.07.2023/19.09.2023 had directed the parties to appear before the trial Court/Area Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, though report has been received by learned Chief Judicial Magistrate, Sirsa that parties have not appeared in this case, but it is noticed that parties have appeared before learned Additional Chief Judicial Magistrate, Sirsa, in connected case i.e. CRM-M-

30034 of 2023 and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.11.2023 in the afore-said connected case to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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

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.974 dated 30.09.2018 registered under Sections 148, 149, 323, 427 and 506 IPC at Police Station Sirsa City, District Sirsa along with all subsequent proceedings arising therefrom, on the basis of compromise dated 22.05.2023 (Annexure P.2), are quashed qua the petitioners.

November 30, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No