

S. No.278

2023:PHHC:133180

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

CRM-M-33041 of 2023

Date of Decision:12.10.2023

**Shalender and others
Vs.**

.....Petitioners

State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Aruz Khan, Advocate for the petitioners.
Mr. Parveen Kumar Aggarwal, DAG, Haryana.
Mr. Manoj Tanwar, Advocate for respondents
No.2 to 8.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.476 dated 01.11.2016 registered at Police Station Mahendergarh, District Mahendergarh under Sections 148, 149, 323, 427, 506 IPC (Section 307 IPC added later on) along with all subsequent proceedings arising therefrom, on the basis of compromise dated 13.05.2023 (Annexure P.7).

This Court vide order dated 13.07.2023 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, parties have appeared before learned Sub Divisional Judicial Magistrate, Mohindergarh, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 05.09.2023 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 respondents No.2 to 8 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.476 dated 01.11.2016 registered at Police Station Mahendergarh, District Mahendergarh under Sections 148, 149, 323, 427, 506 IPC (Section 307 IPC added later on) along with all subsequent proceedings arising therefrom, on the basis of compromise dated 13.05.2023 (Annexure P.7) are quashed qua the petitioners.

October 12, 2023
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(DEEPAK GUPTA)
JUDGE

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