

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

246

CRM-M-35650-2019 (O&M)

Date of decision: 17.01.2023

Jagdish and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : None for the petitioners.

Mr. Surender Singh, AAG, Haryana
for respondent No.1-State.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.182 dated 09.04.2019 lodged under Sections 379B, 294 and 506 of the Indian Penal Code, 1860 registered at Police Station Sadar Ballabgarh, District Faridabad and the consequential proceedings arising out of the same, on the basis of compromise/affidavit dated 22.04.2019 (Annexure P-2) arrived at, between the parties.

Vide order dated 29.08.2019/20.11.2019 of Coordinate Bench of this Court, the parties were directed to appear before the learned Trial Court/Illaq Magistrate within a period of 30 days to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Faridabad, in pursuance to the direction 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-petitioners is quashed.

The Trial Court has annexed the statements of the parties in original, alongwith its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

Learned State counsel has further on instructions apprised the Court that a cancellation report stands prepared on 18.10.2020.

In view of the report of the learned Judicial Magistrate, Ist Class, Faridabad 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.

17.01.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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