

**271 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-44026-2022(O&M)
DATE OF DECISION: 23.08.2023****Mayank Aggarwal****...Petitioner****Versus****The State of Haryana and others****...Respondents****CORAM : HON'BLE MR. JUSTICE ARUN MONGA****Present :** Mr. Neeraj Gupta, Advocate,
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Mr. Arun Sharma, Advocate,
for respondent No.2.**ARUN MONGA, J. (ORAL)**

Petitioner seek quashing of FIR No.100 dated 24.05.2022 (Annexure P-1) registered under Sections 304-A of IPC, at Police Station, Udyog Vihar, District Gurugram alongwith other subsequent proceedings on the basis of compromise dated 12.07.2022 (Annexure P-4), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 28.09.2022 had directed the parties to appear before the *Illaq*a Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 02.02.2023 of learned Judicial Magistrate First Class, Gurugram 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 parties. It is apparent that the complainant/respondent No.2

and accused/petitioner have arrived at a compromise voluntarily and without any coercion.

3.1 Learned counsel for the petitioner relies upon judgement dated 24.02.2023 passed in CRM-M-5529-2019 to contend that Section 304-A of IPC can also be quashed. Further trial would be an exercise in futility and ultimately result in acquittal of the petitioner.

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 dated 29.09.2021 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.100 dated 24.05.2022 (Annexure P-1) registered under Sections 304-A of IPC, at Police Station, Udyog Vihar, District Gurugram and all proceedings emanating there from *qua* the petitioners stand quashed.

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

23.08. 2023

Harish Kumar

(ARUN MONGA)
JUDGE

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

¹Criminal Appeal No.1489 of 2012

HARISH KUMAR ²2007 (3) RCR (Criminal) 1052
2023.08.24 15:55
I attest to the accuracy and
authenticity of this order/judgment