

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-41894-2023

Date of decision: 30.10.2023

Naveeb Goyal

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ajay Vijarania, Advocate for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Sumit Sangwan, Advocate for respondents No.2 to 5.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.179 dated 19.03.2023 under Sections 323, 34, 341, 506 of the IPC and Section 3 of the SC/ST Act registered at Police Station HTM Hisar, District Hisar and all consequential proceedings arising out of the same, on the basis of compromise dated 05.08.2023 (Annexure P-2) arrived at, between the parties.

2. Status report by way of affidavit of Sajjan Kumar, HPS, Deputy Superintendent of Police, Law & Order, Hisar, on behalf of respondent No.1-State has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Vide order dated 24.08.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 28.09.2023 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Judicial

Magistrate Ist Class, Hisar, in pursuance of the directions 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 complainants have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioner is quashed.

5. The Trial Court has annexed copies of statements of the parties alongwith its report.

6. Learned State counsel too submits that there is no other accused other than the petitioner and respondents No.2 to 5 are the only aggrieved persons in the FIR in question.

7. In view of the report of the learned Judicial Magistrate Ist Class, Hisar 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 qua the petitioner.

8. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

30.10.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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