

S. No.213

TARUN SAHNI
2023.01.04 16:11

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

CRM-M-44275 of 2022

Date of Decision:04.01.2023

Rajiv Kumar Goswami @ Rajeev and othersPetitioners

Vs.

State of Haryana and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ankit Chahal, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Ms. Jyoti Chahal, Advocate for respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.367 dated 02.07.2022 registered under Sections 420, 467, 468, 471 and 506 IPC at Police Station Jind Sadar and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 30.11.2022 had directed the parties to appear before the trial Court/Illaq 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 Additional Chief Judicial Magistrate, Jind and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.12.2022 to the effect that the compromise has been effected between the parties voluntarily and

without any coercion or undue influence.

Respondent No.2-complainant, namely, Dharamvir Singh @ Dharambir has made his statement with regard to compromise before learned Magistrate on 13.12.2022.

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.367 dated 02.07.2022 registered under Sections 420, 467, 468, 471 and 506 IPC at Police Station Jind Sadar and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2), are quashed.

January 04, 2023
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No