

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.46173 of 2022

Date of decision: 17th April, 2023

Rajender Parsad Bansal & others

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Aditya Sanghi, Advocate for the petitioners.

Mr. Rahul Mohan, Dy. Advocate General, Haryana
for respondent No.1/State.

None for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.302 dated 16.10.2018 (Annexure P-1) under Sections 420, 406, 506 IPC registered at Police Station Punhana, District Nuh, Haryana along with all consequential proceedings arising therefrom on the basis of compromise dated 01.06.2019 (Annexure P-2) effected between the parties.

Vide order dated 10.10.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, 1st Class, F.P. Jhirka, in pursuance of the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report, in compliance

of the order of this Court, the accused as well as the complainant appeared and got their respective statements recorded with respect to the compromise arrived at between them. The report further reflects that compromise effected between the parties 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.

In view of the report of the learned Judicial Magistrate, 1st Class, F.P. Jhirka 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 v. 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.

(MANJARI NEHRU KAUL)
JUDGE

April 17, 2023
rps

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