

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

279

CRM-M-46525-2023

Date of decision:-07.12.2023

Gaurav Sharma

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA.

Present:- Mr. S.N. Sharma, Advocate for the petitioner.

Mr. P.K. Aggarwal, DAG, Haryana.

Mr. Brijesh Kaushik, Advocate for respondent No.2/complainant.

DEEPAK GUPTA J. (ORAL).

1. Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0642 dated 29.12.2018, registered under Sections 323 and 506 of IPC at Police Station Ambala Cantt., District Ambala and all subsequent proceedings arising therefrom on the basis of compromise.

2. This Court vide order dated 15.09.2023 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 his/her report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before learned Additional Chief Judicial Magistrate, Ambala and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.10.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Statement of Respondent No.2-complainant, namely, Shailandra Khanna with regard to compromise was recorded before learned Magistrate on 17.10.2023.

5. Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. 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.0642 dated 29.12.2018, registered under Sections 323 and 506 of IPC at Police Station Ambala Cantt. District Ambala and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

(DEEPAK GUPTA)
JUDGE

07.12.2023

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Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No