

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(284)

CRM-M-52792-2023

Date of decision:- 13.12.2023

Jai Kishan and ors.

...Petitioners

Versus

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gautam Kaile, Advocate
for Mr. Gourav Verma, Advocate for the petitioners.

Mr. Ram Kumar Singla, DAG, Haryana.

Mr. Ajay Gupta, Advocate for respondents No.2 to 5.

DEEPAK GUPTA, J. (Oral)

1. Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.305 dated 11.07.2023 under Sections 323, 34, 452, 506 and 307 (added later on) of IPC and Charge-Sheet dated 31.08.2020 (Annexure P-2) registered at Police Station Kharkhoda, District Sonipat, Haryana and all subsequent proceedings arising therefrom on the basis of compromise dated 27.09.2022 (Annexure P-4) between the parties.

2. This Court vide order dated 17.10.2023 had directed the parties to appear before the trial Court/Area 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 District and Sessions Judge, Fast Track Court, Sonipat and got their statements recorded. On the basis of the statements so recorded, learned Additional District and Sessions Judge has submitted report dated 04.11.2023 to the effect that the compromise has been

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effected between the parties voluntarily and without any coercion or undue influence.

4. Statement of respondents No.2 to 5-complainants, namely, Jai Kanwar, Santosh, Priyanka and Sahil respectively with regard to compromise was recorded before learned Magistrate on 27.10.2023.

5. Learned State counsel as well as learned counsel for respondents No.2 to 5 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 FIR No.305 dated 11.07.2023 under Sections 323, 34, 452, 506 and 307 (added later on) of IPC and Charge-Sheet dated 31.08.2020 (Annexure P-2) registered at Police Station Kharkhoda, District Sonipat, Haryana and all subsequent proceedings arising therefrom on the basis of compromise dated 27.09.2022 (Annexure P-4), qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

13th December, 2023

spn

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No