

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

269

CRM-M-53320-2022

Date of decision: 12.09.2023

Yudhbir

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Amit Khatkar, Advocate
for the petitioners.

Mr. Rahul Mohan, Sr. DAG, Haryana
for respondent No.1-State.

Mr. Aditya Jain, Advocate and
Mr. Rahul Vohra, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.0110 dated 17.04.2018 under Sections 120-B, 323, 452, 506 of the Indian Penal Code, 1860 registered at Police Station Kalayat, District Kaithal and all consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

2. Vide order dated 17.11.2022 of a Coordinate Bench this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 05.12.2022 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Additional Chief Judicial Magistrate, Yamuna Nagar at Jagadhri, 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 complainant has also made statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. Learned State counsel has submitted that though initially 03 persons were named as accused, however, 02 out of the 03 had been found to be innocent during investigation.

6. In view of the report of the learned Additional Chief Judicial Magistrate, Yamuna Nagar at Jagadhri 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.

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

12.09.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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