

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

326

2023:PHHC:160848

CRM-M-51445-2023

Date of decision: December 14th, 2023

Himanshu and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Govind Chauhan, Advocate
for the petitioners.

Mr. B.S. Virk, Sr. DAG, Haryana
for respondent No.1-State.

Mr. Vishal Pundir, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.204 dated 05.09.2023 under Sections 148, 149, 323, 506 of the Indian Penal Code, 1860 registered at Police Station Munak, District Karnal and the consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-2) arrived at, between the parties.

Vide order dated 11.10.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 14.11.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate Ist Class, Assandh 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.

The trial Court has annexed the copies of statements of the parties along with 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, Ist Class, Assandh 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.

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

December 14th, 2023

ps

**(MANJARI NEHRU KAUL)
JUDGE**

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