

S. No.235

2023:PHHC:157414

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

CRM-M-52293 of 2023

Date of Decision:08.12.2023

Om Singh and othersPetitioners

Vs.

State of Haryana and anotherRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. B.S. Mann, Advocate for Mr. G.S. Nagra,
Advocate for the petitioners.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. H.S. Gharoo, Advocate for Mr. K.S. Rawat,
Advocate for respondent No.2.

DEEPAK GUPTA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.235 dated 29.04.2023 registered under Sections 420, 120-B IPC at Police Station City Tohana, District Fatehabad along with all subsequent proceedings arising therefrom, on the basis of compromise dated 08.08.2023 (Annexure P.2).

This Court vide order dated 13.10.2023 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 its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Tohana, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 31.10.2023 to the effect that the compromise

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

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

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.235 dated 29.04.2023 registered under Sections 420, 120-B IPC at Police Station City Tohana, District Fatehabad along with all subsequent proceedings arising therefrom, on the basis of compromise dated 08.08.2023 (Annexure P.2), are quashed qua the petitioners.

December 08, 2023

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(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No