

**114 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
Neutral Citation No. 2023:PHHC:042441
CRM-12025-2023 in/and
CRM-M-58945-2022
Date of Decision: March 21, 2023**

Sandeep @ Sundeep Pal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Som Nath Saini, Advocate for the petitioner.

Mr. Randhir Singh, Addl. A.G., Haryana.

Mr. N.P. Singh, Advocate for
Mr. Rajiv Kumar Saini, Advocate for respondent Nos.2 & 3.

DEEPAK GUPTA, J.(Oral)

CRM-12025-2023

This is an application to pre-pone the main petition from
11.04.2023.

For the reasons mentioned in the application, the same is
allowed and the main petition is pre-poned today and is taken on Board
for hearing.

Main Case

Prayer in this petition filed under Section 482 Cr.P.C. is for
quashing of F.I.R. No.63 dated 08.03.2021, registered under Sections
148, 149, 323 and 506 of IPC at Police Station Pratap Nagar, District
Yamunanagar (Annexure P-1) and all consequential proceedings arising
therefrom qua the petitioner on the basis of compromise.

This Court vide order dated 20.12.2022 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.

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Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Bilaspur, District Yamunanagar and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 10.01.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Respondent Nos.2 and 3, namely Sanjay and Sher Singh respectively had made their joint statement with regard to compromise before learned Magistrate on 05.01.2023.

Learned State counsel as well as learned counsel for respondent Nos.2 and 3 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.63 dated 08.03.2021, registered under Sections 148, 149, 323 and 506 of IPC at Police Station Pratap Nagar, District Yamunanagar (Annexure P-1) and all consequential proceedings arising therefrom qua the petitioner on the basis of compromise, are hereby quashed.

March 21, 2023

sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No