

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

111+249

**CRM-6352-2023 in/and
CRM-M-60132-2022
Date of decision: 09.02.2023**

Sonu and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Yowan Sharma, Advocate
for the petitioners.

Mr. Surender Singh, AAG, Haryana
for respondent No.1-State.

Mr. Sachin Kaushik, Advocate
for respondents No.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-6352-2023

Prayer in the application is for amending the head note and prayer clause of the petition by adding Section 325 of the IPC as it was added lateron.

Notice of the application.

Learned State counsel and learned counsel appearing for respondents No.2 to 4 have no objection if the application is allowed.

In view of the reasons mentioned in the application, the same is allowed. Section 325 of the IPC is allowed to be added in the head note and prayer clause of the petition and the amended petition annexed with the application is taken on record subject to all just exceptions.

CRM-M-60132-2022

The instant petition is for quashing of FIR No.2 dated

06.01.2021 lodged under Sections 147, 148, 149, 323 and 506 of the IPC (Section 325 of the IPC added lateron) registered at Police Station Kalka, District Panchkula and the consequential proceedings arising out of the same, on the basis of compromise dated 15.01.2021 (Annexure P-2) arrived at, between the parties.

Vide order dated 22.12.2022 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate within a period of three weeks to get their statements recorded regarding the compromise arrived at, between them.

Report has since been received from learned Judicial Magistrate, Ist Class, Kalka, 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 complainants have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioners is quashed.

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

Learned State counsel too submits that there are no other accused other than the petitioners and respondents No.2 to 4 are the only aggrieved persons in the FIR in question.

In view of the report of the learned Judicial Magistrate, Ist Class, Kalka 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.

09.02.2023
Vinay

(MANJARI NEHRU KAUL)
JUDGE

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