

S. No.129+292

2024:PHHC:047500

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

**CRM No.14767 of 2024 in/and
CRM-M-7453 of 2024 (O&M)
Date of Decision:08.04.2024**

Binder alias Jaswinder Singh and others

.....Petitioners

Vs.

State of Haryana and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vipin Kumar, Advocate for the petitioners.

Mr. Sumit Jain, Addl. AG, Haryana.

**Mr. Gaurav Gaur, Advocate for Mr. S.M. Sharma,
Advocate for respondent No.2.**

DEEPAK GUPTA, J. (Oral)

CRM No.14767 of 2024

This is an application to place on record Amended Memo of Parties,
as typographical mistake occurred in the earlier Memo of Parties.

Learned counsel contends that name of father of petitioner No.2 -
Gurmeet Singh has been inadvertently mentioned as W/o Kulwinder Singh,
instead of son of Kuldeep Singh. Learned counsel further contends that name of
father of petitioner No.1 - Binder alias Jaswinder Singh is mentioned as Deep
Singh instead of son of Deep Singh @ Kuldeep Singh.

Notice in the application.

Learned State Counsel and learned counsel appearing for respondent
No.2 have no objection in allowing the application. Earlier Memo of Appearance
also reveal that Adhaar Card Numbers and Mobile numbers of petitioners No.1
and 2 are the same.

In view of the above, the present application is allowed.

Amended Memo of parties is taken on record.

CRM-M-7453 of 2024

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.0259 dated 28.09.2022 registered under Sections 148, 149, 323, 324, 506 IPC at Police Station Ambala Sadar, District Ambala, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 02/03.02.2024 (Annexure P.2).

This Court vide order dated 13.02.2024 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 Judicial Magistrate Ist Class, Ambala, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 06.03.2024 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.0259 dated 28.09.2022 registered under Sections 148, 149, 323, 324, 506 IPC at Police Station Ambala Sadar, District Ambala, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 02/03.02.2024 (Annexure P.2) are quashed qua the petitioners.

April 08, 2024

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Whether Speaking/reasoned

Whether Reportable

Yes/No

Yes/No

(DEEPAK GUPTA)
JUDGE