

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

287

2024:PHHC:012218

CRM-M-9712-2023

Date of decision: January 30th, 2024

Sandeep Masih alias George Deep Masih and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pawan Attri, Advocate
for the petitioners.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

Ms. Pinki Mehla, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.130 dated 03.04.2015 under Sections 420, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860 registered at Police Station Pehowa, District Kurukshetra, and the consequential proceedings arising out of the same, on the basis of compromise dated 12.12.2022 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 23.02.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 20.03.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned SDJM, Pehowa, 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.

4. The trial Court has annexed the statements of the parties in original, along with its report.

5. Learned counsel for the petitioners has submitted that only both the petitioner have been challaned by the investigating agency and as far as third accused is concerned, no challan has been presented against him.

6. Learned State counsel, on instructions, has not disputed the submissions made by the counsel for the petitioner that challan has been presented only qua both the petitioners. However, she has submitted that there is a third accused, who is still at large.

7. In view of the report of the learned SDJM, Pehowa, 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 qua the petitioners.

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

January 30th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No