

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9074-2024
Decided On: 15.04.2024

S.R. VAISH

.....PETITIONER(s)

Versus

STATE OF HARYANA AND ANOTHER

.....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Prafful Rana, Advocate
for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Parveen Sharma, 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.403 dated 03.11.2022, registered under Sections 148, 149, 323, 451 and 506 of IPC and 25 of Arms Act at Police Station Sector-56, Gurugram and all subsequent proceedings arising therefrom on the basis of compromise.

This Court vide order dated 20.02.2024 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.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Gurugram and got their statements recorded. On the

basis of the statements so recorded, learned Magistrate has submitted report dated 15.03.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Statement of Respondent No.2-complainant, namely, Vijender Kumar Jain with regard to compromise was recorded before learned Magistrate on 05.03.2024.

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.403 dated 03.11.2022, registered under Sections 148, 149, 323, 451 and 506 of IPC and 25 of Arms Act at Police Station Sector-56, Gurugram and all subsequent proceedings arising therefrom on the basis of compromise qua petitioner(s), are hereby quashed.

15.04.2024
Priyanka-II

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No