

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

283

CRM-M-9531-2024
Date of Decision:25.04.2024

ABHISHEK RAI

.....Petitioner

Vs.

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Amit Kumar, Advocate for
Mr. Rahul Makkar, Advocate
for the petitioner.

Mr. Randhir Singh, Additional AG, Haryana.

Ms. Manpreet Kaur, Advocate
for respondent No.2 (Through VC).

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.61 dated 16.03.2023 under Sections 279, 323 and 506 IPC and Sections 146, 181 and 192 M.V. Act (added later on), registered at Police Station Rajendra Nagar, District Gurugram and all subsequent proceedings arising therefrom on the basis of settlement dated 16.10.2023 (Annexure P-2).

This Court vide order dated 22.02.2024 had directed the parties to appear before the trial Court 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 Judicial Magistrate First Class, Gurugram and got their statements recorded.

On the basis of the statements so recorded, Learned Magistrate has

submitted report dated 30.03.2024 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 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 FIR No.61 dated 16.03.2023 under Sections 279, 323 and 506 IPC and Sections 146, 181 and 192 M.V. Act (added later on), registered at Police Station Rajendra Nagar, District Gurugram and all subsequent proceedings arising therefrom on the basis of settlement dated 16.10.2023 (Annexure P-2) are quashed qua the petitioner.

(DEEPAK GUPTA)
JUDGE

25.04.2024

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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No