



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

249

CRM-M-10985-2024(O&M)
Date of Decision: 27.09.2024

NARESH GUPTA AND OTHERS

....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Mayur Singla, Advocate &
Mr. Mayank Bansal, Advocate for
Ms Ruchi Sekhri, Advocate for the petitioners

Ms. Nidhi Garg, AAG, Haryana.

Mr. Tejinder Pal Singh, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.33 dated 10.01.2017 under Sections 323, 324, 452, 506, 148, 149 of IPC registered at Police Station Chandni Bag District Panipat wherein Sections 452, 148, 149 were deleted during investigation and later on Sections 452, 180, 148, 149, 120-B were added after investigation in challan/final report and all the subsequent proceedings arising therefrom, on the basis of compromise dated 07.02.2024 (Annexure P-4).

2 . This Court vide order dated 04.03.2024 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.



3. Pursuant to the aforesaid order, parties have appeared before the learned Judicial Magistrate 1st Class, Panipat and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.04.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. 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.33 dated 10.01.2017 under Sections 323, 324, 452, 506, 148, 149 of IPC registered at Police Station Chandni Bag District Panipat wherein Sections 452, 148, 149 were deleted during investigation and later on Sections 452, 180, 148, 149, 120-B were added after investigation in challan/final report and all subsequent proceedings arising therefrom on the basis of compromise dated 07.02.2024 (Annexure P-2) are quashed qua the petitioners.

(MANISHA BATRA)
JUDGE

27.09.2024

Deepak Patwal

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No