



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-14568-2024 (O&M)

Date of decision: 08.07.2024

Mayur Madan

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Nakul Sharma, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

Mr. Arshdeep Singh Bhatti, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.0071 dated 27.05.2019 under Sections 279/337/338 of the Indian Penal Code, 1860 registered at Police Station Siwan, District Kaithal and all consequential proceedings arising out of the same, on the basis of compromise dated 04.03.2024 (Annexure P-2) arrived at, between the parties.

2. Reply by way of affidavit of Kuldeep Beniwal, HPS, Deputy Superintendent of Police, Guhla, on behalf of respondent No.1-State has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. Vide order dated 08.04.2024 of this Court, the parties were



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directed to appear before the learned trial Court/Illaqa Magistrate on 08.05.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate First Class, Kaithal, 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-petitioner is quashed.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. Learned State counsel too submits that there is no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate First Class, Kaithal and the principles laid down by Hon'ble 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 petitioner.

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

8. Pending applications, if any, stand disposed of accordingly.

08.07.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No