



Sr. No.241

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

CRM-M-23329-2024
Date of decision: 01st July 2024

VICKY PANDEY AND ORS**Petitioners**
versus
STATE OF HARYANA AND ANOTHER**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Masood Hussain, Advocate
for the petitioners.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Arjun Handa, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.1064 dated 24.10.2018, under Sections 498-A, 406, 323, 506 IPC, 1860, registered at Police Station Central, District Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 12.12.2023 (Annexure P-3), executed between the parties.
2. This Court, vide order dated 09.05.2024, 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, the parties have appeared before the Judicial Magistrate Ist Class, Faridabad and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 31.05.2024. Para No.4 of the said report reads as under:-



“i) It is respectfully submitted that as per the statement suffered by both the parties, the compromise, so arrived at between the parties appears to be genuine, voluntary and out of their free will.

ii) It is respectfully submitted that complainant, injured/victim and all the accused persons are party to the compromise.

iii) It is respectfully submitted that as per the statement of the IO/SI Puran Singh, no additional accused has been added in the present FIR.

iv) It is further submitted that no accused has been declared as proclaimed person. Statement of IO/SI Puran Singh, P.S. Central, Faridabad is also recorded to this effect.

v) It is respectfully submitted that as per the statement of the IO/SI Puran Singh, P.S. Central, Faridabad, after the registration of the FIR, offence under Section 406 of IPC was added during investigation.

vi) It is respectfully submitted that as per the statement of the IO/SI Puran Singh, no further investigation is pending against any of the accused and no accused has been declared as innocent.”

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, the present petition is allowed and FIR No.1064 dated 24.10.2018, under Sections 498-A, 406, 323, 506 IPC, 1860, registered at Police Station Central, District Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom are ordered to be quashed qua the petitioners.



7. However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 12.12.2023 (Annexure P-3) are violated.
8. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

01st July 2024
simran

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>