

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

304

2024:PHHC:001823

CRM-M-28277-2023

Date of decision: January 09, 2024

KULDEEP KUMAR AND ANOTHER

.....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jaskaran Singh, Advocate
for Ms. Gurpalak Kaur, Advocate
for the petitioners.

Ms. Trishanjali Sharma, Deputy Advocate General, Haryana.

Mr. Mayur Karkra, Advocate
for the complainant-respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

This is the first petition filed under Section 482 Cr.P.C. for quashing of FIR No.356 dated 06.06.2022 under Sections 406, 420, (467, 468, 471 and 34 added later) of the Indian Penal Code, 1860 registered at Police Station Civil Lines, District Karnal, and the consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-3) arrived at, between the parties.

2. Vide order dated 07.11.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 08.12.2023 to get their statements recorded regarding the compromise arrived at between them.

3. Report dated 18.12.2023 has since been received from the learned Judicial Magistrate Ist Class, Karnal, 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-petitioners, is quashed.

4. The trial Court has annexed the statements of the parties in original, along with its report.

5. In view of the report of the learned Judicial Magistrate, Ist Class, Karnal, and the principles laid down by 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* the petitioners.

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

January 09, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No