

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

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2024:PHHC:045036

CRM-M-30898-2023

Date of decision: April 3rd, 2024

Subhash

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sukhdeep Singh, Advocate
for the petitioner.

Mr. Rahul Mohan, Senior Deputy Advocate General,
Haryana.

Ms. Kamlesh, Advocate
for respondent Nos.2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.516 dated 28.07.2020 under Sections 406, 420, 506 of the Indian Penal Code, 1860 and Section 24 of Immigration Act registered at Police Station Karnal Sadar and the consequential proceedings arising out of the same, on the basis of compromise deed dated 04.03.2023 (Annexures P-3 and P-4) arrived at, between the parties.

2. Vide order dated 23.06.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 12.07.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned trial Court in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the complainant and petitioner/accused Subhash stands verified and confirmed. It has been reported that victim

Ram Mehar did not come present for recording of his statement as he is stated to have gone abroad. It has been further reported that except for the present petitioner, two other accused were named in the FIR i.e. Rajesh and Satbir. Qua Rajesh, the proceedings have already been quashed and Satbir has yet not been arrested. As per the report compromise has indeed been effected between the complainant and petitioner 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 copies of the statements of the parties, along with its report.

5. Learned State counsel too submits that respondent Nos.2 and 3 are the only aggrieved person in the FIR in question.

6. In view of the report of the learned trial Court 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 petitioner.

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

April 3rd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No