



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

269

CRM-M-35105-2024(O&M)
Date of Decision: 07.11.2024

ADITYAPetitioner
VERSUS
STATE OF HARYANA AND ANOTHERRespondents

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Abhinav Aggarwal, Advocate for the petitioner.
Ms. Nidhi Garg, AAG, Haryana.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 528 of Code of Criminal Procedure for quashing of FIR No.138 dated 22.04.2024 (against unknown person and later on local Police has added the name of the petitioner as an accused under Section 411 IPC in its challan dated 11.05.2024) under Sections 379 of IPC registered at Police Station Murthal, District Sonapat and all the subsequent proceedings arising therefrom, on the basis of compromise dated 15.07.2024 (Annexure P-3).

2 . This Court vide order dated 24.07.2024 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 Chief Judicial Magistrate, Sonapat and got their statements recorded.

On the basis of the statements so recorded, learned Magistrate has submitted



report dated 14.08.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Respondents no.2 & 3 are present in person in Court today. They have placed self attested copies of their Adhaar cards on record and the originals have been seen and cross checked by learned State counsel. Further stated that they have no objection if the present FIR is quashed.

5. Learned State counsel has not disputed the factum of compromise between the parties.

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

7. 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.138 dated 22.04.2024 (against unknown person and later on local Police has added the name of the petitioner as an accused under Section 411 IPC in its challan dated 11.05.2024) under Sections 379 of IPC registered at Police Station Murthal District Sonapat and all subsequent proceedings arising therefrom on the basis of compromise dated 15.07.2024 (Annexure P-3) are quashed qua the petitioner.

07.11.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

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