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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43073-2024

Date of Decision: 19.11.2024

SURENDER AND ORS

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM:- HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Saleem Ahmed, Advocate
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Aazam Khan Advocate
for respondent No.2.

MANISHA BATRA, J (ORAL)

The present petition has been filed under Section 528 of B.N.S.S. for quashing of FIR No.107 dated 24.03.2019 registered under Sections 148, 149, 307, 323, 365, 506 of IPC and Sections 25 Arms Act (later on Sections 365, 307 IPC and Sections 25 Arms Act were deleted) at Police Station Sector 31, Faridabad and all the subsequent proceedings arising therefrom, on the basis of compromise dated 23.07.2024 (Annexure P-2).

2 . This Court vide order dated 03.09.2024 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 Judicial Magistrate 1st Class, Faridabad and got their statements



recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 21.09.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

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*, this petition is allowed and FIR No.107 dated 24.03.2019 registered under Sections 148, 149, 307, 323, 365, 506 of IPC and Sections 25 Arms Act (later on Sections 365, 307 IPC and Sections 25 Arms Act were deleted) at Police Station Sector 31, Faridabad, all subsequent proceedings arising therefrom on the basis of compromise dated 23.07.2024 (Annexure P-2) are quashed qua the petitioners.

19.11.2024
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No