



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

301

CRM-M-45326-2023
Date of decision: July 22nd, 2024

Raj Kumar Juneja and others
.....Petitioners

Versus

State of Haryana and another
.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parminder Singh, Advocate
for the petitioners.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

Mr. Sukhdeep Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No. 126 dated 23.02.2022 under Sections 406, 506, 120-B of the IPC registered at Police Station Sector 32-33, Karnal, along with all consequential proceedings arising therefrom on the basis of compromise dated 28.04.2023 (Annexure P-2).

2. On the last date of hearing, following order was passed:-

“As per report received from learned Judicial Magistrate 1st Class, Karnal, the parties did get their statements recorded with respect to the compromise so effected between them, however, it has also been noted by learned Judicial Magistrate 1st Class, Karnal that one FIR under Section 174-A of the IPC stands registered against petitioner No.1-Raj Kumar Juneja.

Learned State counsel prays for an adjournment to verify the said fact.

Adjourned to 22.07.2024.”

3. Learned State counsel had sought an adjournment to verify

the authenticity of the report received from the JMIC, Karnal.

4. Learned counsel for the petitioners has placed on record a copy of order dated 11.10.2023 passed by a coordinate Bench of this Court in *CRM-M-51572-2023* titled as *Inderjit Dhamjia Versus State of Haryana*. It has been submitted that FIR No.139 dated 16.03.2020 under Section 174-A, which was reported by the learned trial Court to be registered against petitioner-Raj Kumar Juneja, was in fact, registered against one Inderjit Dhamija and the same stands quashed vide order dated 11.10.2023, which fact has not been disputed by the learned State counsel.

5. Report has since been received from the learned trial Court 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.

6. The trial Court has annexed the attested copies of the statements of the parties and statement of the I.O. in original, along with its report.

7. Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

8. In view of the report of the learned trial Court and the principles laid down by Hon'ble 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.

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

July 22nd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No