



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

267

CRM-M-44815-2024(O&M)
Date of Decision: 25.10.2024

MAYANK KADIYAN

....Petitioner

VERSUS

STATE OF HARYANA AND ANR

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

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

Ms. Nidhi Garg, AAG, Haryana.

Ms. Kamlesh, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.155 dated 24.03.2023 under Sections 379-B of IPC and Section 25 of Arms Act, 1959 and Sections 323, 506 of IPC registered at Police Station Sector 32-33, District Karnal and challan presented under Sections 323 and 506 of IPC and all the subsequent proceedings arising therefrom, on the basis of compromise dated 20.04.2023 (Annexure P-2).

2. This Court vide order dated 11.09.2024 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 Chief Judicial Magistrate, Karnal and got their statements recorded.

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



report dated 21.10.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence. It also appears in the report that statement of investigating officer has not been recorded but report has been received thereof.

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.155 dated 24.03.2023 under Sections 379-B of IPC and Section 25 of Arms Act, 1959 and Sections 323, 506 of IPC registered at Police Station Sector 32-33, District Karnal and challan presented under Sections 323 and 506 of IPC and all subsequent proceedings arising therefrom on the basis of compromise dated 20.04.2023 (Annexure P-2) are quashed qua the petitioner.

25.10.2024

Deepak Patwal

(MANISHA BATRA)
JUDGE

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