

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

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**2024:PHHC:005419
CRM-M-48998-2023
Date of decision: January 16, 2024**

PAWAN KAPOOR AND OTHERS

.....Petitioners

Versus

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Shivansh Malik, Advocate
for the petitioners.

Ms. Jasleen Chahal, Assistant Advocate General, Haryana.

Mr. Ashutosh Verma, Advocate
for respondents No.2 to 4.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.137 dated 17.05.2018 under Sections 323, 34, 427, 452, 506 of the Indian Penal Code, 1860 (Annexure P-1) registered at Police Station PGIMS Rohtak, District Rohtak, along with all consequential proceedings arising therefrom on the basis of the compromise deed (Annexure P-3) effected between the parties.
2. Vide order dated 31.10.2023 passed by a Coordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.
3. Report has since been received from learned Judicial Magistrate Ist Class, Rohtak, in pursuance of the direction 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.

4. The trial Court has annexed photocopies of the statements of the parties, alongwith its report.

5. Learned State counsel submits that there are no other accused other than the petitioners and respondents No.2 to 4 are the only aggrieved persons in the FIR in question, though petitioner Vipin is involved in one case under the Public Gambling Act, 1867.

6. In view of the report of the learned Judicial Magistrate Ist Class, Rohtak, 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 *qua* the petitioners, are quashed.

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

January 16, 2024

Jaspreet Kaur

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No