

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

(307)

**2024:PHHC:006032
CRM-M-52273-2023
Date of Decision: 16.01.2024**

Joginder & others

--Petitioners

Versus

State of Haryana & another

--Respondents

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. Ankit Yadav, Advocate for petitioners.

Ms. Jasleen Chahal, AAG, Haryana.

Mr. Anil K. Sokal, Advocate for respondent no.2.

MANJARI NEHRU KAUL.J (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.136 dated 02.08.2023(Annexure P-1) under Sections 148, 149, 323, 506 IPC registered at Police Station Machhroli, District Jhajjar along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-) effected between the parties.

2. Vide order dated 13.10.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 15.11.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate, 1st Class, Jhajjar, 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 the statements of the parties in original, alongwith its report.

5. On a pointed query put to counsel as to whether there was any criminal case pending against the petitioners, this Court has been informed that quashing petition has already been filed by them on the basis of compromise before this Court and is pending adjudication.

6. 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.

7. In view of the report of the learned Judicial Magistrate, 1st Class, Jhajjar 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 v. 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 petitioner, are quashed.

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

(MANJARI NEHRU KAUL)
JUDGE

16.01.2024

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No