

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-49893-2019 (O&M)
Date of Decision:- 20.03.2024

Mustkeem ... Petitioner

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Matya, Advocate, for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Mr. Rohit Sharma, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Mustkeem has approached this Court seeking quashing of FIR No.123, dated 25.1.2011, Police Station City Panipat, District Panipat, under Sections 420, 467, 468, 471, 120-B IPC as well as judgment of conviction dated 25.3.2019/26.3.2019 passed by learned Judicial Magistrate 1st Class, Panipat, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 26.11.2019, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.
3. Report of learned Additional Sessions Judge, Panipat, has been received, wherein it has been reported that the statement of

petitioner/accused Mustkeem and complainant Dharambir have been recorded to the effect that they have compromised the matter amongst themselves.

4. The complainant Dharambir in his statement had stated that he has no objection in case the FIR in question is quashed.
5. The learned Additional Sessions Judge, Panipat, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.123, dated 25.1.2011, Police Station City Panipat, District Panipat, under Sections 420, 467, 468, 471, 120-B IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioner and judgment of conviction dated 25.03.2019 & order of sentence dated 26.03.2019 passed by learned Judicial Magistrate 1st Class, Panipat are set aside and the petitioner is acquitted of the charges.

20.03.2024

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No