

[274] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57440-2023
Date of Decision : 07.02.2024

Nonihal Singh @ Nihal Singh and another ...Petitioners

versus

State of Haryana and anotherRespondents

Coram : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. Mayank Goyal, Advocate for the petitioners.

Mr. Sumit Jain, Addl. AG, Haryana.

Mr. Mukul Gupta, Advocate
for respondent No.2-complainant.

DEEPAK GUPTA, J. (ORAL)

[1] By way of 2nd petition filed under Section 482 Cr.P.C. is made to quash F.I.R. No.156, dated 21.05.2015, registered under Sections 420, 467, 468, 471, 506, 120-B of IPC, 1860 (Section 419 added later on), at Police Station Sirsa Sadar, District Sirsa, and all subsequent proceedings arising therefrom on the basis of compromise dated 30.09.2023 (Annexure P-6).

[2] This Court vide order dated 16.11.2023 had directed the parties to appear before the Trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send the report qua the genuineness of the compromise.

[3] Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate Ist Class, Sirsa, and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 09.01.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

[4] Statement of Respondent No.2-complainant namely, Fateh Singh, with regard to compromise was recorded before learned Magistrate on 21.12.2023.

[5] Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

[6] In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R. 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 F.I.R. No.156, dated 21.05.2015, registered under Sections 420, 467, 468, 471, 506, 120-B of IPC, 1860 (Section 419 added later on), at Police Station Sirsa Sadar, District Sirsa, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

07.02.2024
'Rajneesh'

Whether speaking/ reasoned : Yes/No
Whether reportable : Yes/No