

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

CRM-M-59168-2023
Date of Decision : 05.02.2024

Suresh Kumar and others ...Petitioners
versus
State of Haryana and othersRespondents

Coram : **HON’BLE MR. JUSTICE DEEPAK GUPTA**
Present : Ms. Mukta Sharma, Advocate for Mr. Kamal Chaudhary,
Advocate for the petitioners.
Mr. Parveen Kumar Aggarwal, DAG, Haryana.
Mr. Rajiv Kumar Saini, Advocate for respondent Nos.1 & 2

DEEPAK GUPTA, J. (ORAL)

- [1] Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.268, dated 01.07.2019, registered under Sections 148, 149, 323, 427, 452, 506 of the IPC, 1860 at Police Station Sector 5, Panchkula, and all subsequent proceedings arising therefrom on the basis of compromise dated 09.11.2023 (Annexure P-2).
- [2] This Court vide order dated 29.11.2023 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 Chief Judicial Magistrate, Panchkula, 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, Kuldeep, with regard to compromise was recorded before learned Magistrate on 04.01.2024.

[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.268, dated 01.07.2019, registered under Sections 148, 149, 323, 427, 452, 506 of the IPC, 1860 at Police Station Sector 5, Panchkula, and all subsequent proceedings arising therefrom on the basis of compromise qua petitioners, are hereby quashed.

(DEEPAK GUPTA)
JUDGE

05.02.2024
'Rajneesh'

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