

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60371-2023 (O&M)
Date of Decision:09.01.2024

Vivek Kumar and Others

...Petitioners

vs.

State of Haryana and Anr.

...Respondents

Coram : **Hon’ble Mr. Justice N.S.Shekhawat**

Present : Ms. Ruby Kaur, Advocate for
 Mr. Rajesh Lamba, Advocate
 for the petitioners.

Ms. Sheenu Sura, Deputy Advocate General, Haryana.

Mr. Vinod Kumar, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. Reply by way of an affidavit of Assistant Commissioner of Police, Sohna, Gurugram has been filed on behalf of respondent-State and the same is taken on record.
2. The present petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 511 dated 03.10.2023 under Sections 323,506 of IPC registered at Police Station City Sohna, District Gurugram (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 18.11.2023 (Annexure P-2).
3. Vide order dated 01.12.2023, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise compromise/affidavit dated 18.11.2023 (Annexure P-2).

4. Pursuant to aforesaid order, the parties have appeared before the SDJM, Sohna, Gurugram and got their statements recorded. Report dated 15.12.2023 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

5. I have heard counsel for the parties and gone through the case file.

6. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioners.

7. Resultantly, FIR No. 511 dated 03.10.2023 under Sections 323,506 of IPC registered at Police Station City Sohna, District Gurugram (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

09.01.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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