

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.61194 of 2023

Date of decision: 6th March, 2024

Avinash @ Sunny & another

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Kartik Khicher, Advocate for the petitioners.

Ms. Trishanjali Sharma, Dy. Advocate General, Haryana
for the respondent/State.

Mr. Baljeet Beniwal & Ms. Gursimran Walia, Advocates
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.04 dated 17.04.2023 under Sections 406, 419, 420 of the IPC registered at Police Station Cyber Crime Hansi, District Hisar along with all consequential proceedings arising therefrom on the basis of compromise effected between the parties.

2. Vide order dated 08.01.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Sub Divisional Judicial Magistrate, Hansi, 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 a copy of the statements of the parties, along with its report.

5. 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.

6. In view of the report of the learned Sub Divisional Judicial Magistrate, Hansi 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 petitioners, are quashed.

7. 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

March 6, 2024
rps

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