

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

247

2024:PHHC:025355

CRM-M-64611-2023

Date of decision: February 23rd, 2024

Sanjay Kamboj @ Sanjay Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None for the petitioner.

Ms. Jasleen Chahal, Assistant Advocate General, Haryana.

None for respondent Nos.2 to 10.

MANJARI NEHRU KAUL, J. (ORAL)

None has put in appearance on behalf of the petitioner as well as respondent Nos.2 to 10 as lawyers of the Bar Association are abstaining from work today.

The instant petition is for quashing of FIR No.112 dated 19.07.2008 under Sections 120-B, 34, 406, 408, 409, 420, 467, 468, 471 of the Indian Penal Code, 1860 registered at Police Station Kunjpura, District Karnal and all consequential proceedings arising therefrom, on the basis of compromise dated 21.11.2023 (Annexure P-4) arrived at, between the parties.

2. Vide order dated 22.12.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 08.01.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned

Judicial Magistrate Ist Class, Karnal, in pursuance of the directions 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 private respondents have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioner is quashed.

4. The trial Court has annexed the copies 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 petitioner and private respondents are the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Karnal, 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 Vs. 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, are quashed.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

February 23rd, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No