

Law Today Live Doc. Id. 15688

PUNJAB AND HARYANA HIGH COURT

Before: Harinder Singh Sidhu, J.

CRM-M NO. 25677 of 2020

Decided on: 10.12.2020

Saksham (minor) and another

Petitioners

Versus

State of Haryana and others

Respondents

Present:

Mr. Pankaj Bali, Advocate for the petitioners.

Ms. Mahima Yashpal, DAG, Haryana for respondent No. 1-State.

Mr. Parveen Sharma, Advocate for Mr. Munish Behl, Advocate for respondents No. 2 and 3.

Code of Criminal Procedure, 1973 (2 of 1974), Section 482 -- Indian Penal Code, 1860 (45 of 1860), Sections 147, 149, 323, 354-D, 506 -- Stalking -- Compromise quashing of FIR -- Parties had appeared before learned Addl. Chief Judicial Magistrate and got recorded their statements regarding compromise -- Petition allowed -- FIR along with all subsequent proceedings arising therefrom, quashed qua the petitioners.

(Para 6-9)

HARINDER SINGH SIDHU, J. –

1. The case is taken up through video conferencing on account of COVID 2019.

2. Petitioners have filed this petition under Section 482 Cr.P.C. for quashing of FIR No. 340 dated 01.08.2020 under Sections 149, 323, 354-D, 506 and 147 IPC, registered at Police Station Sector 32-33 Karnal and all other consequential proceedings arising out of the said FIR, as the matter stands amicably settled in terms of compromise and affidavit dated 25.08.2020.

3. Notice of motion was issued. Learned State counsel as well as learned counsel for respondents No.2 and 3 appeared.

4. I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

5. Vide order dated 02.09.2020, the parties were directed to appear before the trial Court/Area Magistrate for getting their statements recorded with regard to the compromise.

6. A report dated 06.10.2020 of learned Addl. Chief Judicial Magistrate, Karnal has been received. As per the report, the parties had appeared before learned Addl. Chief Judicial Magistrate, Karnal and got recorded their statements regarding compromise. Learned Magistrate has stated that he is of the considered view that the compromise between the parties is valid, genuine, voluntary and without any coercion or undue influence.

7. Keeping in view the above facts, I am of the considered opinion that it is a fit case in which the impugned FIR is liable to be quashed.

8. Therefore, the present petition is allowed. FIR No. 340 dated 01.08.2020 under Sections 149, 323, 354-D, 506 and 147 IPC, registered at Police Station Sector 32-33 Karnal along with all subsequent proceedings arising therefrom, are hereby quashed qua the petitioners.

9. Learned counsel for the petitioners have deposited a sum of Rs. 20,000/- vide order dated 28.10.2020 with the Mediation & Conciliation Committee of this Court.

Petition allowed.
