

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13616 of 2015
Date of decision: 12.10.2015

Sandeep and another ..Petitioner

Versus

State of Haryana and another ..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. J.S. Saneta, Advocate,
for the petitioner.

Mr. Sulinder Kumar, AAG, Haryana.

Mr. N.P. Bhardwaj, Advocate, for
Mr. Naresh Kaushik, Advocate,
for respondent No.2.

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

DAYA CHAUDHARY, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.344 dated 01.04.2013 registered under Sections 294, 323, 354-A, 341 read with Section 34 of the Indian Penal Code (for short 'IPC') at Police Station City Karnal, District Karnal on the basis of compromise.

Notice of motion was issued in this case on 29.04.2015. On 07.07.2015, the parties were directed to appear before the trial Court for recording of their statements with regard to compromise. The trial Court was also directed to send a report with regard to compromise as to whether its genuine and without any pressure or coercion. In response thereto, the parties appeared before the JMIC,

Karnal and accordingly their statements were recorded wherein factum of compromise has been affirmed. It has also been mentioned in the report by JMJC, Karnal that the compromise is genuine, without any threat, coercion and there was no pressure upon either of the parties. As per the statement of accused persons as well as of the complainant, the dispute between them has been settled by way of compromise. Complainant has specifically stated in her statement that the compromise has been effected with the accused persons and she has no objection in quashing of the FIR and other proceedings arising therefrom.

Since the dispute between the parties has been settled by way of compromise and the complainant has no objection in quashing of the FIR and other proceedings; on the basis of compromise, continuation of proceedings would be a futile exercise as the complainant is not going to support the case of the prosecution and that would not only be mere wastage of valuable time of the Court but it would also not be in the interest of both the parties. This Court has inherent powers under Section 482 Cr.P.C. to quash the criminal proceedings even in the non-compoundable offences on the basis of compromise.

Accordingly, this petition is allowed and FIR No.344 dated 01.04.2013 registered under Sections 294, 323, 354-A, 341 read with Section 34 IPC at Police Station Karnal, District Karnal as well as other proceedings qua to petitioners, namely, Sandeep and Popinder are hereby quashed.

12.10.2015
Dinesh

(DAYA CHAUDHARY)
JUDGE