

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.

CRM-M-17128-2015  
Date of decision: 29.10.2015

Randhir @ Randheer & others ...Petitioners

Versus

State of Haryana & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vivek Salathia, Advocate for the petitioners.  
Mr. Vishal Kashyap, AAG, Haryana.  
Mr. Vikas Gupta, Advocate for respondents No.2 to 6.

**Rajan Gupta, J.(oral)**

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.656 dated 16.08.2014, registered under sections 147, 149, 323, 452, 506 IPC at Police Station Civil Lines, Gurgaon, on the basis of compromise.

Learned counsel for the parties submit that a compromise has been arrived at between the parties and dispute has been amicably settled. Relying upon the judgment reported as *Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Crl.) 1052*, learned counsel submit that in view of compromise, the impugned FIR deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in *Kulwinder Singh's case (supra)* and submits that in case a compromise is arrived at between the parties, the State would not stand in the way of quashing of FIR.

Heard.

It appears that vide order dated August 06, 2015, a direction was issued by this court to record the statements of the parties with regard to validity or otherwise of the compromise. A report has been received from the trial court. Operative part thereof reads thus:-

“In this regard, it is humbly submitted that on 22.09.2015 the complainant Sonu Singh son of Shri Suresh Kumar; injured persons Monika daughter of Shri Suresh Kumar, Geeta wife of Shri Suresh Kumar, Monu son of Shri Suresh Kumar, Manish Kumar son of Shri Suresh Kumar and accused persons Randhir, Lalit, Amrish, Abhishek, Raghbar, Sudhir and Pawan appeared before this court for getting their statements recorded with regard to compromise. The parties have also placed on record certified copy of order dated 06.08.2015 passed by Hon'ble High Court of Punjab & Haryana at Chandigarh in CRM-M-17128 of 2015. The parties got their statements recorded before the Court (copy enclosed). Complainant Sonu Singh and injured Monika, Geeta, Monu, Manish Kumar stated that they have compromised the matter voluntarily with the accused persons and now they do not want any action against the accused persons. The accused persons namely Randhir, Lalit, Amrish, Abhishek, Raghbar, Sudhir and Pawan have also got recorded their statements to the effect that the matter has been compromised with the complainant and the injured persons. The parties have also placed on record the written compromise Ex.CA.

Further only seven persons i.e. Randhir, Lalit, Amrish, Abhishek, Raghbar and Sudhir have been named as accused in the FIR in question. It is pertinent to mention here that as per the FIR in question apart from above named 7 accused persons, 13 other unknown persons had also accompanied the accused named above and took part in the commission of the alleged offence. However, report under section 173 Cr.P.C. is filed only against the aforesaid seven accused persons. None of the aforesaid seven accused

persons is a proclaimed offender in the case.

In view of the statements of the complainant, injured as well as accused persons, it appears that the compromise between the parties is genuine, voluntary and without any coercion or undue influence. The report is accordingly submitted for the kind perusal of your lordship.”

Compromise is in the interest of the parties and after the matter has been resolved by an amicable settlement, no useful purpose is likely to be served by continuance of the criminal proceedings. In view of the above, the present FIR and the subsequent proceedings arising therefrom deserve to be quashed in light of Full Bench judgment of this court in *Kulwinder Singh's case (supra)*.

Resultantly, the present petition is allowed. The FIR in question and the subsequent proceedings arising therefrom are quashed.

**(RAJAN GUPTA)**  
**JUDGE**

29.10.2015  
'Rajpal'