

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

Crl. Misc. No. 18946-M of 2014(O&M)

Date of Decision: 19.01.2015.

Sardar Singh and others PETITIONER (s)

Versus

State of Haryana and othersRESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Kanwar Satbir Singh, Advocate
for the petitioners.

Mr. P.S. Sullar, Addl. A.G., Haryana
for respondent No.1.

Mr. Naveen Singh Panwar, Advocate
for respondents No.2,3 and 4.

LISA GILL, J.(Oral)

Mr. Naveen Singh Panwar, Advocate puts in
appearance on behalf of respondents No.2,3 and 4 and files
his power of attorney. The same is taken on record.

This petition has been filed under Section 482 of
the Code of Criminal Procedure for quashing of the FIR
No.126 dated 17.10.2014 (Annexure-P1), under Sections
324, 506 read with Section 34 IPC, registered at Police
Station Kundli, District Sonapat on the basis of compromise
dated 15.05.2014 (Annexure P-2).

The above-said FIR was registered on the

statement of Prem Singh-respondent No.2 alleging the commission of offences punishable under Sections 324, 506 read with Section 34 IPC.

On the intervention of respectables, elders and friends, a compromise is stated to have been arrived at between the parties on 15.05.2014 (Annexure P-2). The matter has been amicably settled between the parties. Respondent No. 2 Prem Singh is the complainant. Respondent Nos. 3 and 4 are affected persons. The parties wish to live in peace and harmony and want to put an end to the acrimony between them. The petitioners are not proclaimed offenders and no other case is pending against them.

This court on 30.05.2014 had directed both the parties to appear before the learned trial court on 10.07.2014 to get their statements recorded in respect to the compromise. The trial Court was also directed to verify the genuineness of the compromise struck between them and to submit its report.

Pursuant thereto, report dated 16.07.2014 has been received from the learned Judicial Magistrate 1st Class, Sonapat. It is observed therein that the compromise/settlement has been arrived at between the parties without any fear, pressure or allurement. Original

statements of the parties has been appended alongwith the report.

Mr. Naveen Singh Panwar, Advocate, puts in appearance on behalf of respondents No. 2, 3 and 4 and admits the factum of the said compromise/settlement between the parties. They have no objection to the quashing of the said FIR.

Learned counsel for the State, on instructions from ASI Ram Tirath, verifies the settlement between the parties and submits that the State has no objection to the quashing of this FIR. The petitioners are not proclaimed offenders and there is no other case pending against them.

In Kulwinder Singh and others versus State of Punjab and another, 2007(3) R.C.R. 1052, a five member Bench of this court has observed,

“The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Code of Criminal Procedure is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is, “finest hour of justice”.

Keeping in view the facts and circumstances of the present case, no useful purpose would be served by

continuing the proceedings except wastage of precious time of the court. The chances of conviction are absolutely bleak, therefore, it is in the interest of justice to quash the above said FIR.

The present petition is, thus, allowed and FIR No.126 dated 17.10.2014 (annexure-P1), under Sections 324, 506 read with Section 34 IPC, registered at Police Station Kundli, as well as consequential proceedings arising therefrom are hereby quashed.

19.01.2015.
Anoop

(LISA GILL)
JUDGE