

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Crl. Misc. No. M- 34021 of 2014(O&M)

Date of Decision: January 28, 2015.

Devi Dayal and others

..... PETITIONER(s)

Versus

State of Haryana and another

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Deepak Sharma, Advocate
for the petitioners.

Mr. Pawan Girdhar, Addl.A.G., Haryana.

Mr. Parminder Singh, Advocate for
Mr. Pankaj Bali, Advocate
for respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

1. Prayer in this petition is for quashing of FIR No.83 dated 04.08.2014, under Sections 279/337/114 IPC, registered at police station Naggal, District Ambala and all other consequential proceedings arising therefrom on the basis of compromise having been entered between the parties.

2. The abovesaid FIR has been registered on the statement of Karam

Chand, respondent No.2 alleging the commission of offences punishable under Sections 279/337/114 IPC.

3. Due to the intervention of respectables, elders and friends, a compromise is stated to have been arrived at between the parties on 16.09.2014. The parties wish to live in peace and harmony and put an end to the acrimony between them.

4. This Court on 30.09.2014 had directed the parties to appear before the concerned Illaqa Magistrate on 03.11.2014 for getting their statements recorded in respect to the above-mentioned compromise. Learned Illaqa Magistrate was directed to submit a report regarding the genuineness and correctness of the compromise between the parties.

5. Pursuant thereto, report dated 03.11.2014 has been received from the learned Judicial Magistrate First Class, Ambala wherein it is stated that the settlement/compromise between the parties is found to be genuine, credible and voluntary. Statements of the complainant, Karam Chand as well as accused were recorded and photocopies of the same are attached alongwith the report. All the accused are parties to the compromise and there is no other case pending against them.

6. Learned counsel for respondent No.2 affirms the factum of compromise between the parties and submits that Karam Chand, respondent No.2 has no objection to this compromise qua the petitioners.

7. In Kulwinder Singh and others versus State of Punjab and another 2007 (3) R.C.R. (Criminal) 1052, a five member Bench of this Court has observed as under:-

“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 Criminal Procedure Code 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”.

8. In view of the above, it would be in the interest of justice to quash the abovesaid FIR as no useful purpose would be served by continuing the present proceedings. It will only lead to wastage of precious time of the court and would be an exercise in futility.

9. This petition is, thus, allowed and FIR No.83 dated 04.08.2014, under Sections 279/337/114 IPC, registered at police station Naggal, District Ambala alongwith all consequential proceedings are, hereby, quashed.

January 28, 2015.
'om'

(**LISA GILL**)
JUDGE