

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

CRM-M-5818 of 2012 (O& M)

Date of Decision: 08.01.2015

Satbir

....Petitioner

VS

State of Haryana and anr.

....Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. N. S. Shekhawat, Advocate
for the petitioner.

Mr. Pawan Jhanda, AAG, Haryana.

Mr. P.R. Yadav, Advocate
for respondent No.2.

NARESH KUMAR SANGHI, J. (Oral)

Prayer in this petition, filed under Section 482 Cr.P.C, is for quashing of FIR No.198 dated 16.10.2009, for the offence punishable under Section 379 IPC, registered at Police Station, Ateli, District Mohindergarh and all the consequential proceedings arising therefrom, on the basis of compromise.

Notice of motion was issued and in compliance thereof, the State as well as respondent No.2-complainant has put in appearance. During the course of hearing, on 30th September, 2014, learned counsel for the parties agreed that the present criminal litigation was going on between the brother-in-law and sister-in-law (*devar and bhabhi*) on account of cutting of some trees from the field and the dispute could be sorted out if the matter was referred to the Mediation and Conciliation Centre at Narnaul, where the trial was going on.

The parties i.e. the petitioner and respondent No.2-complainant Bimla Devi did appear before learned Chief Judicial

their dispute. They got recorded their joint statement admitting the factum of compromise. The report received from learned CJM-cum-Secretary, District Legal Services Authority, Narnaul reveals that Bimla Devi and Satbir had appeared before him and settlement was arrived at between them.

Learned counsel for the petitioner as well as for respondent No.2-complainant are ad idem that the dispute going on between the petitioner and respondent No.2-complainant has been settled and respondent No.2-complainant has no objection if the impugned FIR and all consequential proceedings arising therefrom are quashed.

Learned counsel for the State has also gone through the copy of the joint statement and the report received from learned CJM-cum-Secretary, District Legal Services Authority, Narnaul and has no objection if the impugned FIR and all consequential proceedings are quashed, in view of the compromise effected between the private parties.

I have heard learned counsel for the parties and through their able assistance gone through the material available on record.

The petitioner and respondent No.2-complainant are thickly related with each other; the dispute amongst them had arisen on account of cutting of the trees from the field and that due to the intervention of Mediation and Conciliation Centre at Narnaul, they have sorted out their dispute and effected a compromise. Learned counsel for the parties have also stated at bar that they have no objection if the impugned FIR and all consequential proceedings are quashed.

The same view has been expressed by the counsel for the

State.

In view of the nature of the offence alleged to have been committed by the petitioner and the factum of compromise and further taking into consideration the ratio of the judgment delivered by Five Judge Bench of this Court in the matter of Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (Criminal) 1052, FIR No.198 dated 16.10.2009, for the offence punishable under Section 379 IPC, registered at Police Station, Ateli, District Mohindergarh and all consequential proceedings arising, therefrom, are hereby quashed.

January 08, 2015
m. sharma

(NARESH KUMAR SANGHI)
JUDGE