

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

CRM-M No.11027 of 2016

Date of decision: October 18, 2016

Pawan Kumar and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Shakti Kaushik, Advocate
for the petitioners.

Ms. Neelam Kashyap, DAG, Haryana.

Mr. Swapnil Verma, Advocate
for respondent No.2.

JASPAL SINGH, J.(ORAL)

1. This is a petition under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.131 dated 17.11.2015, under Sections 148, 149, 323 and 506 of IPC, registered at Police Station Jathlana, District Yamunanagar, Haryana, and all subsequent proceedings arising therefrom, on the basis of compromise dated 11.01.2016 (Annexure P-2).
2. On March 31, 2016, this Court has passed the following order which reads as under:-

“Learned counsel for the petitioners contends that the case is under investigation. The offences are otherwise lawfully compoundable. The parties have compromised the matter.

Notice of motion.

On asking of the Court, Mr. Parveen Aggarwal, Deputy Advocate General, Haryana, accepts notice on behalf of respondent-State.

List on 7.7.2016.

In the meanwhile, both the parties are directed to appear before the Investigating Officer and the Investigating Officer shall submit the report whether the parties have voluntarily entered into compromise or not.”

3. In compliance of order dated 31.03.2016, Mr. Subhash Chand, Investigating Officer of Police Station Jathlana (Yamuna Nagar) has furnished the report and as per same the matter has been compromised between the parties voluntarily and without any pressure, coercion and fear with the intervention and respectable persons of the village.

3. So, in view of circumstances narrated above as well as the observations made in cases reported as ***Kulwinder Singh and others vs. State of Punjab & Anr. 2007(3) RCR (Criminal) 1052*** and ***Narinder Singh and Ors. vs. State of Punjab & Anr., (2014) 6 SCC 466***, I am of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for the benefit of the parties and would certainly bring peace and harmony between them.

4. Consequently, instant petition stands allowed and FIR No.131 dated 17.11.2015, under Sections 148, 149, 323 and 506 of IPC, registered at Police Station Jathlana, District Yamunanagar, Haryana, and all subsequent proceedings arising therefrom, are quashed qua the petitioners.

October 18, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No