

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-10104 of 2014

.....

Date of decision:8.4.2016

Ved Parkash and others

.....Petitioners

v.

State of Haryana and others

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rohan Sharma, Advocate for Mr. Vikram Singh, Advocate for the petitioners.

Mr. Himmat Singh, Deputy Advocate General, Haryana for the respondent-State.

None for complainant-respondents No.2 and 3.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.39 dated 25.1.2014 (Annexure-P.1) registered for the offences under Sections 148, 149, 323, 324, 452, 506, 120-B and 307 IPC at Police Station Indri, District Karnal and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2).

Learned counsel for the petitioners argued that petitioner No.6-Dheeraj has died. He further contends that the offence under Section 307 IPC was added later on.

The FIR has been registered on the statement of complainant-

Ramesh Kumar on the allegations that the accused-petitioners attacked him and inflicted injuries. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences. It has been mentioned that the petitioners and the complainant are residents of same village and are known to each other and also having family relations and now none of the parties is having any grievance against each other. Respondents No.2 and 3 do not want to pursue the case against the petitioners.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Sub Divisional Judicial Magistrate, Indri has sent his report dated 29.3.2016 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Deputy Advocate General, Haryana, on instructions from the Investigating Officer admits the factum of compromise and submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the petitioners as well as learned Deputy Advocate General, Haryana and have gone through the record.

In a decision, based on compromise, none of the parties is a

loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.39 dated 25.1.2014 (Annexure-P.1) registered for the offences under Sections 148, 149, 323, 324, 452, 506, 120-B and 307 IPC at Police Station Indri, District Karnal and all subsequent proceedings arising out of the same are hereby quashed.

April 8, 2016.

(Inderjit Singh)
Judge

hsp