

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-13690 of 2017

.....

Date of decision:25.10.2017

Pardeep

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Present: Mr. Samrath Sagar, Advocate for the petitioner.

Mr. Brijesh Sharma, Assistant Advocate General, Haryana for  
the respondent-State.

Mr. Sunil Kumar, Advocate for the complainant-respondent  
No.2.

.....

**Inderjit Singh, J.**

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.57 dated 15.3.2017 for the offences under Section 307 IPC read with Section 25 of the Arms Act registered at Police Station Line Par Bahadurgarh, District Jhajjar and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2) entered into between the parties.

The FIR in the present case has been got registered by complainant-Ramesh Chander alias Ramesh Kumar on the allegations that the petitioner fired on the complainant with his pistol with an intention to kill him, which hit on his right ankle. Vinod came from other room on hearing the shot and he got him admitted in Brahm Shakti Hospital for treatment. Now with the intervention of respectable persons and family

[2]

members, the matter has been amicably settled between the parties and they have resolved their dispute amongst themselves. Respondent No.2 has no objection if the above mentioned FIR is quashed.

Learned counsel for the petitioner argued that the parties are related to each other as the petitioner is nephew of the complainant and the matter has been amicably compromised between the parties.

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 Additional Sessions Judge, Jhajjar, has sent his report dated 31.7.2017 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 Assistant Advocate General, Haryana, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit 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 parties as well as learned State counsel 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

[3]

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.57 dated 15.3.2017 for the offences under Section 307 IPC read with Section 25 of the Arms Act registered at Police Station Line Par Bahadurgarh, District Jhajjar and all subsequent proceedings arising out of the same are hereby quashed qua the petitioner.

October 25, 2017.

**(Inderjit Singh)**  
**Judge**

\*hsp\*

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |