

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-1776-2017

Date of decision : 27.02.2017

Garjan Singh

... Petitioner

Versus

State of Haryana and another

... Respondents

***CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH***

Present: Mr.Rajesh Bansal, Advocate  
for the petitioner.

Mr. Sulinder Kumar AAG, Haryana.

None for respondent no.2.

**AMOL RATTAN SINGH, J.(ORAL)**

By this petition, a criminal complaint bearing Sessions case no.26 of 2005/Sessions trial no.8 of 2007, dated 09.03.2005/10.05.2005, filed against the petitioner for the alleged commission of offences punishable under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Sections 323, 506, 504 IPC, is sought to be quashed, on the basis of a compromise arrived at between the petitioner-accused and respondent no. 2, i.e. the complainant.

Vide an order of this Court dated 27.01.2017, the parties were directed to appear before the learned trial Court, to get their statements recorded, in terms of the compromise.

Pursuant to the order dated 27.01.2017, the statements of the petitioner and respondent no.2, i.e. Kartar Singh, are stated to have been recorded by the learned Additional Sessions Judge, Kurukshetra, as per the report of that Court of the same date.

As per the said report, the statement of respondent no.2 has

been made voluntarily, without any pressure or coercion. The petitioner and complainant has thus compromised the matter with each other.

Consequently, keeping in view the fact that the three co-accused of the petitioner already having been acquitted earlier, and the petitioner not having faced trial on account of the fact that he is stated to be not a resident of India at the time when the trial against other co-accused was in progress, and seeing the nature of the offences alleged to have been committed, even though one of the offences alleged is under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, in the opinion of this Court, it would be pointless to continue with criminal proceedings against the petitioner.

Consequently, the petition is allowed and criminal complaint bearing Sessions case no.26 of 2005/Sessions trial no.8 of 2007, dated 09.03.2005/10.05.2005, filed against the petitioner for the alleged commission of offences punishable under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Sections 323, 506, 504 IPC, along with all proceedings arising therefrom, is hereby quashed.

(AMOL RATTAN SINGH)  
JUDGE

**February 27, 2017.**

*Davinder Kumar*

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No