

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

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**CRM-M-18337-2017
DATE OF DECISION: 12.10.2017**

AMIT & ANR

... Petitioner(s)

Versus

STATE OF HARYANA AND ORS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. M.S. Kathuria, Advocate
for the petitioner(s).

Mr. Karan Sharma, AAG, Haryana.

Mr. Anil Dutt, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No.133 dated 10.03.2008, under Sections 323, 325, 452, 506 & 34 IPC, registered at Police Station City Panipat, District Panipat (Annexure P-1), as well as judgment of conviction dated 02.08.2016 and order of sentence dated 04.08.2016 passed by Chief Judicial Magistrate, Panipat, on the basis of compromise (Annexure P-3) arrived at between the parties.

Learned counsel for the petitioners contends that FIR is an outcome of a sudden quarrel between the parties, which has now been resolved and the matter has been compromised.

Learned counsel for the petitioners has placed reliance upon a judgment of Single Bench of this Court in CRM-M-16531 of 2016 titled as "**Sukhdev Singh and others Vs. State of Punjab and another**", decided on 02.09.2016 and judgment of Division Bench of this Court in the case of "**Sube Singh and another Vs. State of Haryana and another**", **2013 (4) RCR (Criminal) 102**, wherein it has been held that this Court under Section 482 of the Cr.P.C. is empowered to quash criminal proceedings at any

stage including the pendency of appeal to secure the ends of justice.

This Court by the order dated 07.09.2017 had directed the parties to appear before the trial Court to record the statements of the parties with regard to genuineness of the compromise and send a report to this Court. The report of Additional District & Sessions Judge, Panipat, dated 28.09.2017 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that the compromise is genuine, without any coercion or undue influence.

The FIR is an outcome of a sudden quarrel between the parties, which has now been resolved and the matter has been compromised. It would be in the interest of justice if the FIR and all consequential proceedings arising therefrom including order of conviction are set aside to enable the parties to live in peace and harmony.

Consequently, the petition is allowed and FIR No.133 dated 10.03.2008, under Sections 323, 325, 452, 506 & 34 IPC, registered at Police Station City Panipat, District Panipat (Annexure P-1), and all subsequent proceedings arising therefrom, are hereby quashed qua the petitioners. The judgment of conviction dated 02.08.2016 and order of sentence dated 04.08.2016 passed by Chief Judicial Magistrate, Panipat is set aside. The appeal preferred by the petitioners against the aforesaid judgment and order is rendered infructuous and shall be declared so by the first Appellate Court.

12.10.2017

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No