

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-27740 of 2016

.....

Date of decision:30.1.2017

Muda and others

.....Petitioners

v.

State of Haryana and others

.....Respondents

....

Present: Mr. Vishal Rattan Lamba, Advocate for Mr. Kanwar Deep Singh, Advocate for the petitioners.

Mr. B.S. Virk, Deputy Advocate General, Haryana for the respondent-State.

Mr. Dilpreet Singh, Advocate for Mr. Parminder Singh, Advocate for the respondents No.3 to 5, 7 and 8.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.0053 dated 6.2.2016 for the offences under Sections 323, 334, 506, 307, 148, 149, 325 and 326 IPC registered at Police Station Gharaunda, District Karnal 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-Wazid on the allegations that the petitioners attacked respondents No.2 to 8 with their respective weapons and inflicted injuries. The complainant party raised alarm and many villages gathered at the spot and after seeing them the above said assailants ran away from the spot with

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their weapons. While going away they threatened to kill them later. Now with the intervention of respectable persons, the matter has been amicably settled between the parties and they have resolved their dispute amongst themselves with the help of respectable persons known to both 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, Karnal has sent his reports dated 28.9.2016 and 7.12.2016 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 and learned counsel for the complainant-respondents No.2 to 8 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 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

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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.0053 dated 6.2.2016 for the offences under Sections 323, 334, 506, 307, 148, 149, 325 and 326 IPC registered at Police Station Gharaunda, District Karnal and all subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

January 30, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No