

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

250

**CRM-M-620 of 2015
DATE OF DECISION:31.08.2017**

BABITA AND ANOTHER

... Petitioner(s)

Versus

STATE OF HARYANA AND ORS.

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rakesh Bakhshi, Advocate for the petitioners.

Mr. Karan Sharma, AAG, Haryana

Ms. Minakshi Poswal, Advocate
for respondents No.4 and 5.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No.358 dated 14.10.2013 under Sections 323, 325, 506, 308 and 34 of the IPC and Sections 325 & 509 of the IPC added later on, registered at Police Station Farakpur, District Yamuna Nagar on the basis of compromise dated 06.01.2015 (Annexure P-2), which has been arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is outcome of a dispute between the real brothers. The complainant is the brother of petitioner No.2 and petitioner No.1 is the wife of petitioner No.2. He further states that although in the FIR, offence under Section 308 IPC is also mentioned but in the instant case, only the reverse side of the axe has been used. The petitioners as well as the respondent/complainant are residing in the same house. The matter has now been resolved with the intervention of the respectables.

Learned counsel appearing for respondents No.4 and 5 states that the matter has indeed been compromised.

This Court by the order dated 09.08.2017 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 and Sessions Judge, Yamuna Nagar at Jagadhri dated 17.08.2017 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 outcome of a dispute between the brothers, who are residing at the same premises, which has now been resolved and the matter has been compromised.

In view of the mandate of the Hon'ble Supreme Court in the case of **Narinder Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.358 dated 14.10.2013 under Sections 323, 325, 506, 308 and 34 of the IPC and Sections 325 & 509 of the IPC added later on, registered at Police Station Farakpur, District Yamuna Nagar and subsequent proceedings arising therefrom, are hereby quashed qua the petitioners.

31.08.2017

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No