

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

1. CRM No. M-4935 of 2017 (O&M) Date of Decision: 30.05.2017

Satyawan & others --Petitioners

Versus

State of Haryana & others --Respondents

2. CRM No. M-4936 of 2017 (O&M)

Ravi @ Sonu & others --Petitioners

Versus

State of Haryana & others --Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. J.P. Sharma, Advocate for the petitioners
(in CRM No. M-4935 of 2017) and for
respondents no.2 to 4. (in CRM No. M-4936 of 2017).

Mr. Pardeep Sihmar, Advocate for the petitioners
(in CRM No. M-4936 of 2017) and for respondents
no.2 to 4. (in CRM No. M-4935 of 2017)

Mr. Deepak K. Grewal, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of CRM No. M-4935 of 2017 (Satyawan & others Vs. State of Haryana & others) and CRM No. M-4936 of 2017 (Ravi @ Sonu & others Vs. State of Haryana & others) as both these petitions have been filed under Section 482 Cr.P.C seeking quashing of FIR No.47 dated 4.2.2012 under sections 148, 149, 323, 452 I.P.C, registered at Police Station, Mahendergarh as also quashing of complaint no.104/12 dated 9.8.2012 under sections 148, 149, 323, 506 I.P.C and which was the cross-version of FIR No.47 dated 4.2.2012.

While issuing notice of motion on 16.2.2017 in both these connected petitions, parties were directed to appear before the Trial Court

on the date already fixed i.e. 17.2.2017 for recording of their statements in support of the compromise.

Placed on record of both these petitions are two separate reports carrying even date i.e. 20.2.2017 of the learned J.M.I.C, Mahengergarh and perusal of the reports would reveal that the statements of the parties in the FIR as also in the cross-version i.e. the complaint case have been recorded and it has been opined that the matter has been amicably settled and the compromise has been arrived at voluntarily and without any fear, pressure or coercion.

Even counsel representing the parties on either side in the FIR as also in the complaint case make a statement that there would be no objection to the quashing of the FIR as also of the complaint case in the light of the compromise.

It is, by now, well settled that in appropriate cases, this Court in exercise of power under Section 482 Cr.P.C would intervene to bring to an end criminal proceedings even in relation to offences, which are non-compoundable. A reference in this regard may be made to a Full Bench judgement of this Court rendered in case of **Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) R.C.R (Criminal) 1052.**

Adverting back to the facts of the present case, it was an altercation which has resulted in simple injuries. Both the parties belong to the same family. With the intervention of the respectables the hatchet has been buried.

In the considered view of this Court, it would be a fit case for exercise of powers under Section 482 Cr.P.C to bring to an end the criminal prosecution launched in the light of the impugned FIR as also the complaint

case.

Accordingly, both these connected petitions are allowed. FIR No.47 dated 4.2.2012 under sections 148, 149, 323, 452 I.P.C, registered at Police Station, Mahendergarh as also complaint no.104/12 dated 9.8.2012 under sections 148, 149, 323, 506 I.P.C and all proceedings emanating therefrom stand quashed.

(TEJINDER SINGH DHINDSA)
JUDGE

30.05.2017

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Whether speaking/reasoned: Yes

Whether Reportable: No