

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

**CRM-M No.13795 of 2017 (O&M)
Date of Decision: 14.11.2018**

Randhir and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sukhvinder Singh Nara, Advocate for the petitioners.

Mr. Rahul Mohan, Deputy Advocate General, Haryana
for respondent No.1/State.

Mr. Naveen K. Jaglan, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed praying for quashing of FIR No.70 dated 09.04.2017 (**Annexure P-1**), under Sections 148, 149, 323 and 506 of the Indian Penal Code, registered at Police Station Radaur, District Yamuna Nagar along with all consequential proceedings arising therefrom on the basis of compromise as **Annexure P-2** entered into between the parties i.e. petitioners as well as respondent No.2.

This Court, on 25.04.2017, passed the following order:-

“ *Notice of motion.*

On asking of the Court, Mr. Munish Sharma, Asstt. Advocate General, Haryana puts in appearance and accepts notice on behalf of respondent No.1-State. A copy of the paper book be supplied to him.

Mr. Naveen K. Jaglan, Advocate has put in appearance on his own on behalf of respondent No.2 and filed his Power of Attorney today in the Court. Same is taken on record.

In the light of contentions that the parties have since then effected compromise, they are directed to put in appearance before the Illaqa Magistrate/concerned Court, Police Station Radaur, District Yamunanagar within 15 days from today to record their statements and the Illaqa Magistrate/concerned Court shall make report as to its satisfaction and submit it back before the next date of hearing. The Magistrate shall also intimate if any of the parties to this petition has been declared as Proclaimed Offender.

List on 7th September, 2017. ”

In terms of above order, the statements of the parties were recorded by learned Judicial Magistrate 1st Class, Yamuna Nagar at Jagadhri and submitted a report dated 03.05.2017. The operative part of the same reads as under:-

“ It is evident that the parties have arrived a compromise voluntarily, without any pressure, threat or coercion to bury their differences. None of the accused has been declared as Proclaimed Offender in the present case. ”

A perusal of the aforesaid report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence.

Learned State Counsel, on instructions from the police official present in the Court, has acknowledged the above fact and further stated that he has no objection in case the present FIR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties. Even before this Court also, there is no objection by either of the parties in case the present FIR is quashed.

In view of above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquillity and

thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the present petition is allowed and the aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioners.

November 14, 2018

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
<i>Whether Reportable</i>	<i>No</i>