

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

**Crl. Misc. No. M-19898 of 2018 (O&M)
Date of decision: August 20, 2018**

Pawan Kumar and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Satbir Gill, Advocate
for the petitioners.

Mr. Amrik Narwal, D.A.G. Haryana
for respondent No. 1.

Mr. Balsher Singh, Advocate
for respondents No.2 and 3.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 89 dated 29.04.2018 (Annexure P-1), registered for offences punishable under Sections 323, 324, 506 read with Section 34 of Indian Penal Code (for short 'IPC') at Police Station Sirsa Sadar, District Sirsa along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, occurrence took place on 28.04.2018, wherein complainant was caused injuries by the petitioners for which FIR for the offences punishable under Sections 323, 324, 506 read with Section 34 IPC was registered.

Learned State counsel submits that in the reply it has been mentioned by clerical mistake that the FIR was registered under Section 326 IPC as well.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise, copy of which has been placed on file as Annexure P-2.

Learned counsel for complainant and other private respondent endorses the submission of learned counsel for the petitioners and has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 16.05.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is

allowed and the FIR No. 89 dated 29.04.2018 registered at Police Station

Sirsa Sadar, District Sirsa (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

(SURINDER GUPTA)
JUDGE

August 20, 2018
Jyoti-II

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No