

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-21406 of 2018

Date of decision: 24.07.2018

Deepak and others

.. Petitioners

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vijay Kumar Sheoran, Advocate
for the petitioners.

Ms. Neelam Kashyap, DAG, Haryana

Mr. Bhupander Ghanghas, Advocate
for respondent no. 2.

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.158 dated 08.03.2018 (Annexure P-1), registered for offences punishable under Sections 34/379/427/436/448/506 of Indian Penal Code (for short 'IPC') at Police Station Bhiwani Sadar, District Bhiwani, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, petitioners intruded the house of respondent no. 2-complainant, removed his articles lying there, put it on fire and also damaged water tanks and other household articles.

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 respondent No.2-complainant has submitted that in view of the compromise (Annexure P-2), the respondent

no. 2-complainant 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 05.06.2018 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 coercion.

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 impugned FIR no. 158 dated 08.03.2018 (Annexure P-1) registered at Police Station Bhiwani Sadar, District Bhiwani along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 24, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No