

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-29329 of 2018

Date of decision: 25.09.2018

Sanjeet @ Kalu

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. J.P. Sharma, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

Mr. Rohit Joshi, Advocate
for respondents no. 2 to 4.

SURINDER GUPTA, J.(Oral)

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 132 dated 24.06.2018 (Annexure P-1), registered for offences punishable under Sections 324/506 of Indian Penal Code (for short 'IPC') at Police Station Loharu, District Bhiwani, along with all consequential proceedings arising therefrom, on the basis of compromise dated 07.07.2018 (Annexure P-2).

As per case of the prosecution, the occurrence took place on 23.06.2018 in which petitioner caused injuries with knife on the person of respondents no. 2 to 4.

Respondent no. 4 is stated to be minor and his father, namely, Ramesh, in his statement has stated that he has effected the compromise on behalf of his son, who is deaf and dumb.

Learned counsel for the petitioner 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), private respondents (complainants) have no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed the 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 21.08.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, 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 impugned FIR No. 132 dated 24.06.2018 (Annexure P-1) registered for offences punishable under Sections 324/506 IPC, at Police Station Loharu, District Bhiwani along with all consequential proceedings arising therefrom, qua petitioner, is quashed.

September 25, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No