

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

**Crl. Misc. No. M-13683 of 2019 (O&M)
Date of decision: August 27, 2019**

Chiraj Ghai and another

.. Petitioners

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Karan Singh, Advocate
for the petitioners.

Mr. Raj Kumar Makkar, Sr. D.A.G., Haryana.

Mr. S.K.Tripathi, Advocate for
Mr. Rahul Singla, Advocate
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.684 dated 15.11.2018 (Annexure P-1) along with all consequential proceedings arising therefrom, registered for offences punishable under Sections 148, 341, 427, 379-B, 506 read with Section 149 Indian Penal Code (for short 'IPC') at Police Station City Yamuna Nagar, District Yamuna Nagar on the basis of the compromise in the shape of affidavit (Annexure P-2).

As per allegations in the FIR, petitioners along with certain other persons stopped the car of complainant. They snatched his car and demanded money from him. When the public assembled at the spot, they fled away.

Learned State counsel submits that FIR was registered for the offences punishable under Sections 148, 149, 341, 427, 379 B and 506 IPC. During investigation, the offences under Sections 148, 149, 379-B IPC were deleted and offence under Sections 323 read with Section 34 IPC was added.

All the offences except offence under Section 506 IPC are non-compoundable offence.

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

Learned counsel for respondent No.2-complainant endorsed 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 in the shape of affidavit (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 09.04.2019 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

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 FIRNo.684 dated 15.11.2018 registered at Police Station City Yamuna Nagar, District Yamuna Nagar (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

August 27, 2019

Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No