

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

**CRM-M No.51572 of 2018 (O&M)
Date of Decision: 01.02.2019**

JAGJEET SINGH AND ORS

.....Petitioners

Versus

STATE OF HARYANA AND ORS

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Sakshi Saini, Advocate for
Mr. Parminder Singh, Advocate for the petitioners.

Mr. Yashwinder Singh, DAG, Haryana.

Ms. Kamlesh, Advocate
for respondents No. 2 to 4.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition under Section 482 Cr.P.C. has been filed praying for quashing of FIR No.257 dated 03.07.2017 (**Annexure P-1**), under Sections 148, 149, 323, 452 and 506 of the Indian Penal Code, registered at Police Station Butana, District Karnal along with all consequential proceedings arising therefrom on the basis of compromise dated 14.11.2018 (**Annexure P-2**) entered into between the parties i.e. petitioners as well as respondents No. 2 to 4.

This Court on 17.12.2018 has passed the following order:-

“ It is jointly stated by learned counsel for the parties that the matter has been amicably settled by the parties i.e. petitioners as well as respondent Nos.2 to 4.

In view of above, let the parties appear before the Court of learned Illaqa Magistrate/trial Court on 14.1.2019 to record their statements with reference to the compromise, if any, entered into between them.

Learned Illaqa Magistrate/trial Court will record the statements of all accused, complainant/injured and victim, if any and submit a report along with statements to this Court

before the next date of hearing containing the following information:-

- (i) Whether the statements of the parties are bona fide and are not result of any pressure or coercion etc. in any manner?
- (ii). Whether the compromise effected between the parties is genuine and valid?
- (iii). Whether all the accused, complainant and injured are party to the compromise and if not, the details/particulars of such person(s).
- (iv). Whether any other case is pending against either of the parties or not, if yes, the details thereof.
- (v). Whether any of the persons involved in this case/dispute has been declared a proclaimed offender.

List before this Court on 01.02.2019 for further consideration.

Meanwhile, learned State Counsel shall also get the instructions in the matter as to whether the State has any objection or not?

Copy of this order be sent to learned Judicial Officer concerned forthwith for information and compliance.”

In terms of above order, the statements of the parties were recorded by learned Judicial Magistrate 1st Class, Karnal and submitted a report dated 18.01.2019. The operative part of the same reads as under:-

'After recording the statements of the parties, I am of the view that the compromise between the parties is genuine, made voluntarily and out of their free will and without any pressure.'

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 and no one has been declared as proclaimed offender in this case.

On instructions from the police official learned State Counsel 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 as the dispute is between father and his son. 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 and tranquility 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.

February 01, 2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

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