

Crl. Misc. No. M-33046 of 2018

Date of Decision: February 07, 2019

Pargat Singh and others

.....Petitioners

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Aditya Sanghi, Advocate
for the petitioners

Mr. D.R. Singla, DAG Haryana

Ms. Radhika Sharma, Advocate
for respondents No. 2 to 4

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Sudhir Mittal, J. (Oral)

The petitioners are accused in FIR No. 110 dated 20.08.2014 registered at Police Station Guhla, District Kaithal, Haryana under Sections 323, 324, 325, 326, 34 IPC. They have been convicted vide judgment of conviction dated 09.06.2017 under all the aforementioned provisions and have been sentenced to undergo maximum sentence of rigorous imprisonment for two years. In appeal, the sentence has been suspended but final decision is awaited.

Learned counsel for the petitioners submits that vide compromise dated 27.03.2018 (Annexure P-3) an amicable settlement has been reached between the parties and thus, the criminal proceedings be quashed.

Vide order dated 10.12.2018, the parties were directed to get their statements recorded before the Appellate Court. Report dated 11.01.2019 has been received from Additional District and Sessions Judge, Kaithal, according to which, the statements of the parties have been recorded and that the compromise is

The record indicates that the parties belong to the same village. The injuries suffered by the complainant side were minor in nature. Thus, keeping in view the larger interest of the Society and to foster peace and harmony amongst the parties, I deem it appropriate to quash the criminal proceedings. I am supported by judgment of the Hon'ble Supreme Court in ***Gian Singh vs. State of Punjab and another, 2012(4) RCR(Criminal) 543*** and Division Bench judgment of this Court in ***Sube Singh and another vs. State of Haryana and another, 2013(4) RCR(Criminal) 102.***

In view of the above, the instant petition is allowed and the FIR No. 110 dated 20.08.2014 registered at Police Station Guhla, District Kaithal, Haryana under Sections 323, 324, 325, 326, 34 IPC, and all the consequential proceedings having arisen therefrom are hereby quashed qua the petitioners. Thus, judgment of conviction dated 09.06.2017 and order of sentence dated 12.06.2017 also stand quashed and the appeal pending before the Appellate Court is rendered infructuous.

February 07, 2019
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No