

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

266

CRM-M-27642-2020

Date of decision : 22.12.2020

HIMANSHU @ ANUJ AND ORS

... Petitioners

Versus

STATE OF HARYANA AND ANR

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Manoj Kumar Pundir, Advocate for the petitioners.

Mr. Manish Dadwal, AAG, Haryana.

Ms. Savita Rana, Advocate for respondent No.2.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioners are seeking quashing of FIR No.89 dated 13.06.2020 under Sections 148, 149, 323 IPC and Section 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Raduar, District Yamuna Nagar on the basis of compromise dated 24.08.2020 (Annexure P-2), which has been arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is an outcome of a sudden quarrel between the parties. The allegations in the FIR would not constitute a *prima facie* case under the SC/ST Act. He also contends that the dispute has now been resolved and the matter has been compromised. He has referred to a copy of the compromise at Annexure P-2.

Learned counsel for respondent No.2 states that the matter has indeed been compromised.

A Coordinate Bench of this Court vide order dated 28.10.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements and send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhri dated 25.11.2020 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The FIR is an outcome of a sudden quarrel between the parties which has now been resolved and the matter has been compromised. In view of the law laid down by the Supreme Court in the case of **Narinder Singh vs. State of Punjab 2014 (6) SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed FIR No.89 dated 13.06.2020 under Sections 148, 149, 323 IPC and Section 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Raduar, District Yamuna Nagar and all consequential proceedings are hereby quashed qua the petitioners.

(ANUPINDER SINGH GREWAL)
JUDGE

December 22, 2020

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