

CRM-M-49312-2019 (O&M)

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

**CRM-M-49312-2019 (O&M).
Decided on: January 17, 2020.**

Sandeep Chaprana @ Bobby Chaprana

.. Petitioner

VERSUS

State of Haryana and another

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Baljeet Beniwal, Advocate,
for the petitioner.**

Mr.Munish Sharma, AAG, Haryana.

**Mr.Sunny Rawat, Advocate,
for the complainant – respondent No.2.**

JASGURPREET SINGH PURI, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.347 dated 07.10.2019 under Sections 147, 149, 323, 452 and 506 IPC, registered at Police Station Faridabad Old, District Faridabad (Annexure P1) and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P2).

The allegations as contained in the FIR are that the

CRM-M-49312-2019 (O&M)

petitioner along with some other unknown persons had beaten the complainant namely Manish Kumar by giving fists and leg blows.

Vide order dated 20.11.2019, passed by a Coordinate Bench of this Court, the petitioner and respondent No.2 were directed to appear before the learned Area Magistrate on 13.12.2019, to get their statements recorded with regard to the compromise so that the Magistrate could satisfy herself/himself with regard to the authenticity of the compromise and that it has been arrived at without any kind of undue influence or pressure.

Learned State counsel was also directed to verify whether there are any criminal cases of like nature or otherwise, pending against the petitioner.

Consequently, a report has been received from the learned Judicial Magistrate First Class, Faridabad, stating that both the complainant and the accused have appeared before the Court and suffered separate statements that the matter has been compromised and settled amicably between them and complainant has no objection if the criminal case against the accused is quashed. It is further stated in the report that compromise was effected without any pressure and same be accepted. The Court has enquired from the parties regarding the genuineness of the compromise and the Court is satisfied that the dispute between the parties has been resolved amicably and has been arrived between them out of their own sweet will without any threat, coercion or undue influence and that the compromise is genuine and valid.

CRM-M-49312-2019 (O&M)

The learned State counsel, on instructions from HC Mahesh Chand, states that there is no such like case pending against the petitioner and that petitioner has not been declared as proclaimed offender.

After hearing the learned counsel for the parties and after pursuing the report filed by the learned Judicial Magistrate First Class, Faridabad, in compliance of the directions issued by this Court, I am of the considered opinion that since the matter has been amicably compromised between the parties and it is not a case where it can be termed as serious or heinous crime, no useful purpose would be served in case the litigation is lingered on. It is no longer *res integra* that in cases where no useful purpose would be served by further prolonging the litigation in case compromise has been arrived at between the parties without any coercion, threat or undue influence, it is in the interest of justice to quash the FIR.

Thus, following the judgment in **Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052** as well as **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, this petition is allowed and F.I.R. No.347 dated 07.10.2019 under Sections 147, 149, 323, 452 and 506 IPC, registered at Police Station Faridabad Old, District Faridabad and all subsequent proceedings arising therefrom are quashed qua the petitioner only on the basis of compromise.

January 17, 2020.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No