

201-A

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

CRM-M-669-2021

Date of Decision: 26.10.2021

Ashish

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. APS Sandhu, Advocate,
for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana,
for respondent No.1/State.

Mr. N.S. Kamboj, Advocate,
for respondents No.2 and 3.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R No.0119, dated 05.06.2019, under Sections 356 and 452 of the Indian Penal Code, registered at Police Station Ellenabad, District Sirsa (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings, on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, respondents No.2 and 3 have arrived at a settlement with the accused vide the Compromise-cum-Memorandum of Understanding (Annexure P-2), which is duly signed by both the parties. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Sub Divisional Judicial Magistrate, Ellenabad vide report dated

22.02.2021, has apprised this Court that the statements of both the parties including the victim-Navjot Kaur have been recorded and the compromise arrived at between them is genuine and without any pressure.

[3]. Ld. Counsel appearing for respondents No.2 and 3 also does not dispute the factum of compromise.

[4]. In view of the report of the Sub Divisional Judicial Magistrate, Ellenabad, and in view of the decisions of the Hon'ble Supreme Court in ***“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543*** and ***“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466***, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since respondents No.2 and 3 has themselves compromised the dispute with the petitioner/accused.

[5]. In the circumstances, the present petition is allowed. F.I.R No.0119, dated 05.06.2019, under Sections 356 and 452 of the Indian Penal Code, registered at Police Station Ellenabad, District Sirsa (Annexure P-1), with all consequential proceedings arising therefrom, is hereby quashed qua the present petitioner.

26.10.2021

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No