

**In the High Court of Punjab and Haryana at Chandigarh**

**CRM-M No. 11539 of 2021 (O&M)**  
**Date of Decision: 25.11.2021**

Dilbag Singh and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR**

Present: Mr. Deepam Raghava, Advocate  
for the petitioners.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Munish Kumar Garg, Advocate  
for respondent No. 2.

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**SURESHWAR THAKUR, J. (ORAL)**

1. Through the instant petition, under Section 482 Cr.P.C., the petitioners seek quashing of FIR No. 472 dated 22.12.2020 registered at Police Station Jind Sadar, District Jind, constituting therein offences, under Sections 323, 341, 506, 34 IPC, and, also of all the consequent proceedings arising therefrom, hence on the basis of compromise dated 3.3.2021 (Annexure P-2), arrived at between the parties.

2. The learned counsel for the petitioners submits, that the report under Section 173 Cr.P.C., has not yet been submitted before the learned Magistrate concerned.

3. When the instant petition came up before this Court on 7.4.2021, an order was made upon the learned Magistrate concerned, to make a report to this Court, with respect to the genuineness of the

compromise, as also whether any person(s) has/have been nominated as accused, and, as also whether any person has been declared proclaimed offender, and, that whether challan has been filed, besides that whether there is a cross case.

4. In pursuance of the afore made order, though, the learned Magistrate concerned, has recorded the statements of the respondent-complainant, and also, of the accused-petitioners herein, and, though a perusal of their respectively made testifications, does reveal, that they are *ad idem*, qua their inter-se settlement. Furthermore, a reading of their respective testifications, does unfold, that for ensuring peace, and, harmony amongst them, they have proceeded to settle the matter. In addition, a reading of their respective testifications also discloses, that they have made their respective testifications, without any duress or compulsion, becoming exercised on each of them.

5. Though, from the reading of their respective testifications, the afore made inferences can be drawn, yet the learned Magistrate concerned, beyond the unfoldments (*supra*) occurring, in their respective testifications, has made a report to this Court, that since there was earlier no brotherhood, and, peace between the parties. Therefore, the respective testifications of all concerned rather making bespeakings qua their respective aspirations for the afore being maintained, in future, being hence surmisal. Naturally the afore echoing occurring in the report of the Magistrate, is thus completely beyond the ambit of the respectively made testifications by all concerned. Consequently, this Court is convinced, that the afore inference, as emanating from the respectively recorded testifications, before the learned Magistrate concerned, is to be furthered, given their appositely drawn

testifications, being rather completely suggestive that for ensuring that they maintain peace, and, harmony with each other, in future, hence, theirs recording their respective statements.

6. Therefore, this Court is constrained to quash the FIR (supra), and, all the consequential proceedings arising, hence arising therefrom. Accordingly, FIR No. 472 dated 22.12.2020, registered at Police Station Jind Sadar, District Jind, constituting therein offences under Sections 323, 341, 506, 34 IPC, and, also all the consequential proceedings, hence arising therefrom, are quashed qua the petitioners.

**(SURESHWAR THAKUR)**  
**JUDGE**

**November 25, 2021**  
**Gurpreet**

**Whether speaking/reasoned : Yes/No**  
**Whether reportable : Yes/No**