

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

CRM-M-35005-2020

Date of Decision : 19.03.2021

Harikishan and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Rajesh Dhankar, Advocate
for the Petitioners.

Mr. Vishal Malik, Dy. Advocate General, Haryana
for Respondent No.1/State.

Ms. Nisha, Advocate
for Respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this Petition, the Petitioners, who are the accused persons in F.I.R No.374, dated 15.10.2020, under Sections 323, 34, 354-B, 506 of the Indian Penal Code, 1860 and under Section 3(2) (va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Kanina, District Mahendergarh (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now the Complainant has arrived at a settlement with the accused vide Compromise (Annexure P-2), which is duly signed by her. 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 Ld. Judicial Magistrate 1st Class, Kanina, vide report dated 22.12.2020 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No. 2 is represented by her Counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, Kanina, and in view of the decision 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 the Complainant has herself compromised the dispute with the Petitioners/accused persons.

5. In the circumstances, the present petition is allowed. F.I.R No.374, dated 15.10.2020, under Sections 323, 34, 354-B, 506 of the Indian Penal Code, 1860 and under Section 3(2) (va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Kanina, District Mahendergarh (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present Petitioners.

March 19, 2021

Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No