

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

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CRM-M-62301-2018

Date of decision : 12.08.2021.

Sunil alias Sushil and others

... Petitioners

Versus

State of Haryana and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vikas Singh, Advocate for the petitioners.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Pardeep Solath, Advocate for respondent No.2.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioners are seeking quashing of FIR No.268 dated 01.08.2007, under Sections 148, 149, 323, 324, 452, 506 IPC, registered at Police Station Pehowa, District Kurukshetra and all subsequent proceedings arising therefrom on the basis of compromise dated 04.12.2018 (Annexure P-4) which has been arrived at between the parties.

A Coordinate Bench of this Court, on 07.01.2019, had passed the following order:-

“Learned counsel for the petitioners contends that during the pendency of the appeal, the matter has been compromised between the parties. It is also pointed out that petitioners No.8 and 9 could not appear before the Court as they were abroad and vide order dated 28.01.2015 (Annexure P-2) look out notice has been issued for securing their presence.

Notice of motion for 28.03.2019.

Let the petitioners No.8 and 9 appear before the Appellate Court on or before the date fixed i.e. 26.02.2019 and upon their

appearance, they shall be admitted on interim bail.

The parties shall also appear before the CJM, Kurukshetra on 27.02.2019 for recording their statements with regard to the compromise/settlement.

The CJM shall send its report to this Court by the next date of hearing, containing the following information:-

1. Number of persons arrayed as accused in FIR.
2. Whether any accused is proclaimed offender.
3. Whether the compromise is genuine, voluntary and without any coercion or undue influence.
4. Whether the accused persons are involved in any other case or not.
5. The trial Court is also directed to record the statement of the Investigation Officer as to how many victims/complainants are there in the FIR.

A copy of the report be also sent through fax to the Registrar Judicial of this Court.”

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

The report of the Chief Judicial Magistrate, Kurukshetra dated 11.03.2019 has been received, wherein it is stated that in pursuance to the order passed by the Coordinate Bench of this Court, the statements of the parties were recorded which indicates that the compromise which has been effected is genuine, voluntary and without undue influence.

In view of the above especially when the matter has been compromised and as per 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 and FIR No.268 dated 01.08.2007, under Sections 148, 149, 323, 324, 452, 506 IPC, registered at Police Station Pehowa, District Kurukshetra and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

(ANUPINDER SINGH GREWAL)
JUDGE

August 12, 2021
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No