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

CRM-M-2819-2021

Date of Decision: 01.08.2022

Mohit Kumar and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Balraj Gujjar, Advocate for the petitioners.

Ms. Shivani Sharma, AAG, Haryana.

Mr. Shakti Singh, Advocate,
for respondent Nos.2 & 3.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 482 of the Code of Criminal Procedure with a prayer for quashing of the FIR bearing No.381, dated 16.11.2020, registered under Sections 323, 34, 341 & 506 of IPC, registered at Police Station Beri, District Jhajjar, Haryana (Annexure P-1) on the basis of compromise dated 21.12.2020 (Annexure P-2) arrived at between the parties.

Learned counsel for the petitioners has submitted that it is a case where a dispute arose between the friends while sitting in a restaurant whereby simple injuries were caused and it is not the case of any serious or heinous offence. He also submitted that with the intervention of respectables, a compromise has been effected between the parties vide Annexure P-2. He further submitted that all the accused persons are petitioners in the present

petition and the complainant as well as the injured are the respondents in the present petition and therefore, in this way all the persons concerned in the present FIR are the parties in the present petition. He also submitted that in pursuance of the orders passed by this Court on 23.03.2021, the parties have appeared before the learned Illaqa Magistrate/trial Court where the statements have been recorded and in view of the aforesaid facts and circumstances, he has prayed that the FIR may be quashed based upon the compromise.

On the other hand, Ms. Shivani Sharma, learned Assistant Advocate General, Haryana, has stated that it is correct that the petitioners and the private respondents had quarrel at an eating place which resulted in some injuries. She further submitted that as per the affidavit filed by the State, the petitioners are not involved in any other case nor they have been declared as P.O.

Mr. Shakti Singh, Advocate has caused appearance on behalf of respondent Nos.2 & 3 and has stated that the statements of the parties have been recorded before the learned Illaqa Magistrate/trial Court and he has no objection in case the FIR is quashed, since the matter is amicably settled between the parties.

I have heard the learned counsels for the parties.

The allegations against the present petitioners in the FIR were that the complainant along with another person were eating at Bikaner Sweets and thereafter, suddenly a quarrel took place with the present accused persons/petitioners and they had inflicted blows on him and certain injuries were caused. However, the matter was settled between the parties vide Annexure P-2. This Court had directed the parties to appear before the learned

trial Court/Illaq Magistrate for recording the statements of the parties for the purpose of ascertaining the authenticity and volunteriness of the compromise. Thereafter, a report has been received from the learned ACJM-cum-Civil Judge (Sr. Division), Jhajjar by attaching the statements of the parties. As per the report, the parties have entered into compromise with each other and it has been reported that both the parties have entered into compromise voluntarily and the same is genuine.

The subject matter of the present case does not fall in the category of heinous and serious offence. The matter has been amicably settled between the parties and as per the learned counsel for the petitioners are not involved in any other case. The petitioners are young boys and the fight had taken place due to a quarrel between them at an eating place.

Therefore, this Court is of the view that in view of the law laid down by the Hon'ble Supreme Court in "**State of Madhya Pradesh Vs. Laxmi Narayan and others**", 2019(2) SCC (Crl.) 706 and also in "**Gian Singh Vs. State of Punjab and another**", 2013(1) SCC (Crl.) 160 and Full Bench judgment of this Court in "**Kulwinder Singh and others Vs. State of Punjab 2007 (3) R.C.R. (Criminal) 1052**," it will be in the interest of justice and to secure the end of justice, the present FIR can be quashed based upon compromise, especially in view of the fact that the subject matter does not pertain to any serious or heinous offence.

In view of the aforesaid position, the present petition is allowed and FIR bearing No.381, dated 16.11.2020, registered under Sections 323, 34, 341 & 506 of IPC, registered at Police Station Beri, District Jhajjar, Haryana (Annexure P-1) with all consequential proceedings arising therefrom, are

hereby quashed on the basis of compromise qua the petitioners.

01.08.2022
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes |