

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 4418 of 2022
Date of Decision: 10.3.2022**

Naveen and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. L.K.Gollen, Advocate for the petitioners.

Mr. Tanuj Sharma, AAG, Haryana.

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

SURESHWAR THAKUR, J. (ORAL)

(Through video conferencing)

1. Through the instant petition, filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No. 623 dated 28.8.2019 registered at Police Station Rohtak City, constituting therein offences, under Sections 323, 147, 148, 427, 506 IPC, and, also of all the consequential proceedings arising therefrom, hence on the basis of compromise dated 17.1.2022 (Annexure P-2), arrived at between the parties.

2. The learned State counsel submits, that the report under Section 173 Cr.P.C., has been submitted before the learned Magistrate concerned. However, it is also fairly stated before this Court that thereafter, the charges have not yet been framed.

3. The learned counsel for the petitioners as well as the learned counsel for respondent No. 2 have stated at the bar that all the concerned have signed the compromise deed.

When the instant petition came up before this Court on

03.2.2022, an order was made upon the learned Magistrate concerned, to make a report to this Court, with respect to the genuineness of the compromise, and, as also whether any P.O. Proceedings are pending against any of the party.

5. The afore made order by this Court on 03.2.2022, has been complied with by the learned Magistrate concerned, and, the elicited report has been placed on record. A perusal of the report, transmitted to this Court, by the learned Magistrate concerned, reveals that the settlement/compromise, arrived at *inter se* the petitioners, and, the respondent No. 2, is a sequel of both, being *ad idem* qua it, besides the compromise/settlement being a sequel of no pressure or coercion, being exercised upon each other. Therefore, the learned Magistrate has reported that the settlement/compromise, depended upon by the petitioners, for seeking quashing of the FIR (supra), is both voluntary, and, genuine.

6. Since, the offence(s) carried in the FIR (supra), are compoundable, and, also when a valid compromise has been entered into, *inter se*, the accused petitioners, and, the respondent(s)-complainant, besides when the learned State Counsel has stated that after the filing of a report under Section 173 Cr.P.C., the charges have yet not been framed. Therefore, this Court deems it fit to allow the petition.

7. Consequently, the present petition is allowed, and, the FIR (supra), and, also all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SURESHWAR THAKUR)
JUDGE

March 10, 2022

Gurpreet

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