

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

Date of Decision: 15th July, 2022

(1) CRM-M-3905 of 2020

Dinesh and another

... Petitioners

Versus

State of Haryana and others

... Respondents

(2) CRM-M-3914 of 2020

Brijesh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Karan Singh, Advocate for the petitioners in
CRM-M-3905 of 2020 and for
respondents No. 2 and 3 in CRM-M-3914 of 2020.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Devender Kumar, Advocate for the petitioners in
CRM-M-3914 of 2020 and for the
respondents No. 2 to 4 in CRM-M-3905 of 2020.

AVNEESH JHINGAN, J.(Oral)

These two petitions are filed seeking quashing of FIR No. 535 dated 29.11.2019, under Sections 323, 34, 356 IPC and FIR No. 534 dated 29.11.2019, under Sections 147, 149, 324, 356 and 452 IPC, registered at Police Station Dabua, District Faridabad and all other subsequent

proceedings arising therefrom on the basis of compromise.

As per the allegations in the FIRs, the parties are neighbours. An incident took place on 29.11.2019 in which both the parties by entering the house of each other inflicted injuries.

The parties with the intervention of respectables have compromised the matter.

On 29.1.2020, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise.

The report dated 16.3.2020 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence. Further that there petitioners in both the cases are the accused and they have not been declared as proclaimed offender.

Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, has held:-

“There is no statutory bar in Cr.P.C. which affects inherent power of this Court under Section 482. The power of quashing is not limited to matrimonial cases alone.”

The Supreme Court in ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, 2017 AIR (SC) 4843*** laid down the broad principles governing the exercises of powers of quashing of FIR. It was held that the power under Section 482 Cr.P.C. is to be exercised by the High Court to secure the ends of justice, to prevent abuse of any process of law and in cases where in view of the compromise the possibility of conviction is remote and continuation of

proceeding will cause oppression and prejudice.

The parties are neighbours. With the intervention of friends and relatives, they have decided to forget and forgive and to save their relations to an extent possible. No useful purpose would be served by continuing with the trial. Due to compromise, there are bleak chances of conviction. To meet the ends of justice, the FIRs mentioned above and all consequential proceedings arising therefrom are quashed.

The petitions are allowed.

Photocopy of the order be placed on the file of connected case.

(AVNEESH JHINGAN)
JUDGE

15th July, 2022
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Whether reasoned/speaking	Yes
Whether reportable	Yes