

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

CRM-M-5759-2022 (O&M)

Date of decision: 18.4.2022

Jasbir Singh @ Happy and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. S.S.Momi, Advocate, for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Rishabh Dhiman, Advocate, for respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.575 dated 25.12.2018 registered under Sections 323, 324, 326, 427, 452, 506, 34 IPC at Police Station Pehowa, District Kurukshetra on the basis of compromise dated 25.1.2022 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Amrik Singh in which he stated that on 24.12.2018, he along with his wife (respondent No.3) was present in his house and at that time, all the petitioners tres-passed into his house and caused injuries to him and his wife.

On notice of motion, respondents No.2 and 3 appeared in the Court through their counsel and pleaded that they have no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned

parties with regard to genuineness and validity or otherwise of the aforesaid

compromise.

In compliance thereof, report from the Court of Sub Divisional Judicial Magistrate, Pehowa along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the petitioners and for respondents No.2 and 3 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

For the reasons aforesaid and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.575 dated 25.12.2018 registered under Sections 323, 324, 326, 427, 452, 506, 34 IPC at Police Station Pehowa, District Kurukshetra and all the subsequent proceedings are hereby quashed qua the petitioners.

(KARAMJIT SINGH)
JUDGE

April 18, 2022

Paritosh Kumar