

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

205

CRM-M-18012-2022
Date of decision: 02.08.2022

RAJIV RANGA

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present : Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.
for respondent No. 1.

Mr. Parveen Sharma, Advocate
for respondent No. 2.

SURESHWAR THAKUR, J. (ORAL)

1. Through the instant petition, filed under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 128 dated 12.03.2020 registered at Police Station Civil Lines, Karnal constituting therein offences, under Sections 323, 506 IPC, and, also of all the consequential proceedings arising therefrom, hence on the basis of compromise dated 18.04.2022 (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 but the charges have yet not been framed.

3. When the instant petition came up before this Court on 29.04.2022, an order was made upon the learned Magistrate concerned, to make a report to this Court, with respect to the genuineness of the compromise, as also whether any person(s) has/have been nominated as accused, and, as also whether any person has been declared proclaimed offender, and, that whether challan has been filed, besides that whether there is a cross case.

4. The afore made order by this Court on 29.04.2022, 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 petitioner, 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 petitioner, for seeking quashing of the FIR (supra), is both voluntary, and, genuine.

5. 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 petitioner, and, the respondent(s)-complainant, besides when the learned State Counsel has stated that the challan has been filed but the charges are yet to be framed. Therefore,

this Court deems it fit to allow the petition.

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

02.08.2022
kavneet singh

(SURESHWAR THAKUR)
JUDGE

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