

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26759-2022

Date of decision : 26.08.2022

Raghibir

..... Petitioner

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Ms. Shaweta Sanghi, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Aditya Pal Singla, Advocate
for respondent No.2.

PANKAJ JAIN, J. (Oral)

By way of present petition, the petitioner is seeking quashing of FIR No.132 dated 03.06.2022 registered for the offences punishable under Sections 323/506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Sadar Tohana, District Fatehabad, on the basis of compromise deed dated 11.06.2022.

On 26.07.2022, the following order was passed:-

“This is a petition under Section 482 Cr.P.C. for quashing of FIR No. 132 dated 3.6.2022, under Sections 323, 506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Sadar Tohana and all other subsequent proceedings arising therefrom on the basis of compromise.

Notice of motion.

Mr. Amit Mehta, Senior DAG, Punjab and Mr.

Lokesh Sharma, Advocate appearing on advance notice accept the same on behalf of respondents No. 1 and 2 respectively.

The parties are directed to appear before the Illaqa Magistrate/trial court for recording their statements with regard to the compromise on 8.8.2022.

The trial court is directed to submit a report on or before the next date of hearing containing the following information:

- i) Number of persons arrayed as accused in the FIR;
- ii) Whether any accused is declared as proclaimed offender;
- iii) Whether the compromise is genuine, voluntary and without any coercion or undue influence.

List on 26.8.2022.”

Pursuant to the aforesaid order, report from JMIC, Tohana has been received, which is taken on record. As per the report, the compromise effected between the parties is without any threat or pressure from either of the sides and is a valid compromise.

Mr. Aditya Pal Singla, Advocate appears for respondent No.2 and admits the fact of parties having compromised and states that he has no objection in case the FIR and all proceedings subsequent thereto against the petitioner are quashed.

Similarly, learned State counsel has stated no objection in case the FIR is quashed based upon the compromise entered between the parties.

Keeping in view the fact that offences punishable under Sections 323 and 506 of the IPC under which the petitioner has been

booked are compoundable and compromise has been effected, the present petition is allowed. FIR No.132 dated 03.06.2022 registered for the offences punishable under Sections 323/506 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Sadar Tohana, District Fatehabad and all proceedings subsequent thereto are, hereby, quashed qua the petitioner.

(PANKAJ JAIN)
JUDGE

26.08.2022

Dinesh

Whether speaking/reasoned
Whether Reportable :

Yes
No