

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

CRM-M-50715-2021
Date of Decision:- **23.02.2022**

KUNTESH AND OTHERS

... Petitioners

Versus

STATE OF HARYANA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ajay Bansal, Advocate for
Mr. Rajesh Bansal, Advocate
for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. S.K. Gupta Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

Present petition is for quashing of FIR No.763 dated 4.10.2021
registered under Sections 323, 34, 506 IPC at Police Station Quilla Panipat,
District Panipat on the basis of compromise dated 17.11.2021 (Annexure P-
2) along with other consequential proceedings arising thereto.

The above stated FIR was registered on the statement of the complainant/respondent No.2-Ashok Kumar, in which he alleged that on 3.10.2021, he went to the shop of Nathi for taking milk, where petitioner No.3 Lakhan started abusing him and in the meantime petitioners No.1 and 2 also came there and at that time petitioner No.2 was armed with sword and all three of them assaulted him.

On notice of motion, respondents No.2 appeared in the Court through his counsel and pleaded that he has 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 Judicial Magistrate Ist Class, Panipat 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 parties 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.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties who are closely related to each other, to live in peace and enjoy their life in a dignified manner. Also there is no legal impediment in translating their wishes into reality by putting an end to the criminal prosecution initiated on the basis of FIR in question.

For the reasons aforestated 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.763 dated 4.10.2021 registered under Sections 323, 34, 506 IPC at Police Station Quilla Panipat, District Panipat on the basis of compromise dated 17.11.2021 and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

(KARAMJIT SINGH)
JUDGE

23.02.2022
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No