

272 **IN THE HIGH COURT OF PUNJAB & HARYANA**
 AT CHANDIGARH
 CRM-M-54273-2021
 Date of Decision: 11th May, 2022

Rattan Singh and others

Petitioners

Versus

State of Haryana and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Aarish Kamboj, Advocate for the petitioners.
 Mr. Gurmeet Singh, AAG, Haryana.
 Mr. Ashok Kumar, Advocate for respondents No. 2 and 3.

AVNEESH JHINGAN, J (Oral):

[1] This petition under Section 482 of Code of Criminal Procedure is filed seeking quashing of FIR No. 660, dated 27th November, 2021, under Sections 148, 149, 323, 324, 506 IPC, 1860, registered at Police Station Sector 32-33 Karnal and all subsequent proceedings arising therefrom, on the basis of compromise dated 18th December, 2021.

[2] The FIR was registered at the instance of Kuldeep Singh. As per the allegations, on 27th November, 2021, there was an incident at Sandhu Service Station where the brother of the complainant was given beating by the accused-petitioners. Thereafter, petitioner No.3 also got registered an FIR No. 752, dated 29th November, 2021 against the son of respondent No.3 and other family members.

[3] The parties with the intervention of respectables have compromised the matter.

[4] On 23rd December, 2021, the parties were directed to appear

before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise dated 18th December, 2021.

[5] The report dated 8th March, 2022 is received, the relevant part is as below:

“ xxxx The compromise between the parties is genuine, voluntary, the parties have made statement before me out of their free will. As per report of the investigation officer of this case (i) there are three accused persons in this Case-Rattan Singh son of Samunder Singh, Lovejeet@ Lovely son of Rattan Singh, Mandeep son of Rattan Singh. (ii) none of the accused has been declared proclaimed offender/offenders. (iii) no other criminal case is pending against any accused.”

[6] Learned counsel for the parties are at *ad idem* that the other FIR i.e. FIR No. 752, dated 29th November, 2021 was quashed on the basis of compromise.

[7] 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.”

[8] 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.

[9] The parties are from the same locality and due to misunderstanding the incident took place. The parties have bridged their difference, decided to forgive and forget rather than indulging in litigation and there are bleak chances of conviction, no useful purpose would be served by continuing with the trial. To meet the ends of justice, the FIR mentioned above and all consequential proceedings arising therefrom are quashed.

[10] The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

11th May, 2022

Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |