

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

Sr. No.242

CRM-M-536-2020 (O&M)

Date of Decision : February 15, 2023

Sanjay and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Baljeet Beniwal, Advocate, for the petitioners.
Mr. Deepak Grewal, DAG, Haryana.
Mr. Kartik, Advocate for
Mr. Sunny Rawat, Advocate for respondent No.2.

SUDHIR MITTAL, J. (ORAL)

The present petition has been filed for quashing of FIR No.258, dated 24.09.2018, registered at Police Station Manesar, District Gurugram, under Sections 307 & 34 IPC on the basis of compromise.

Learned counsel for the petitioners has submitted that even after five years of registration of the FIR, the trial is pending. The parties have reached an amicable settlement and evidence of the same is forthcoming from report dated 24.02.2020 sent by the trial Court. Section 307 IPC has been invoked on account of petitioner No.1 having stabbed the complainant-respondent No.2 on the chest and neck. The said persons are first cousins. Being closely related they have decided to bury the hatchet in the interest of peace in the family. Thus, the FIR may be quashed.

Learned counsel for complainant-respondent No.2 accepts the submission made by learned counsel for the petitioners.

Even though Section 307 IPC is attracted in the instant case and it can't be said that the said provision has been invoked only for

making the offence more serious, it cannot be lost sight that the parties are very closely related being first cousins. If the FIR is quashed, it would certainly remove any bad blood within the family and would help in restoring peaceful relations. In turn, this would benefit society. Chances of conviction are very bleak on account of the parties having reached an amicable settlement. All these factors taken cumulatively, compel me to invoke jurisdiction of this Court under Section 482 Cr.P.C. for the purposes of doing complete justice.

The petition is allowed and FIR No.258, dated 24.09.2018, registered at Police Station Manesar, District Gurugram, under Sections 307 & 34 IPC along with all consequential proceedings having arisen therefrom, is quashed qua the petitioners.

Pending miscellaneous application, if any, also stands disposed of.

February 15, 2023*Ankur***(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No