

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

CRM-M-5122-2023
DATE OF DECISION:-15.03.2023

Shiv Kumar and others ...Petitioners.

vs.

State of Haryana and another ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. N.K. Malhotra, Advocate,
for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Madan Sandhu, Advocate
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.74 dated 16.04.2020, under Sections 148, 149, 323, 427, 435, 452 and 506 IPC, registered at Police Station Bahuakbarpur Rohtak (Annexure P-1) along with all consequential proceedings arising out of the same, on the basis of compromise dated 02.01.2023 (Annexure P-3).

2. As per the allegations levelled in the FIR, the petitioners forcibly entered the house of the complainant and inflicted injuries to the complainant as well as his family members with their respective weapons, besides it, they also vandalized and arson the house.

3. In pursuance to an order dated 01.02.2023 passed by this Court, whereby the parties were directed to appear before the trial Court for getting their statements recorded, a report dated 21.02.2023 has been received from the concerned court stating that the statements were suffered without any coercion or undue influence and the compromise entered by them is genuine. It also finds mentioned that there are total 21 accused i.e. the petitioners, who came present for recording of their statement along with complainant-Ashwani, besides 6 injured persons. No accused has been declared as PO.

4. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 as well as six injured persons having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR.

The compromise in question is even found to be fully in consonance with

the directions issued by this Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

6. Thus, in view of the aforesaid report accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.74 dated 16.04.2020, under Sections 148, 149, 323, 427, 435, 452 and 506 IPC, registered at Police Station Bahuakbarpur Rohtak (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed, subject to payment of costs of Rs.40,000/- to be deposited by the petitioners with the Punjab and Haryana High Court Bar Association, within a period of two weeks from today.

15.03.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No