

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

**CRM-M-5156-2020**

**Date of Decision: January 16, 2023**

**HARI SINGH AND ORS.**

**..... Petitioners**

**Versus**

**STATE OF HARYANA AND ANOTHER**

**..... Respondents**

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr.N.P. Bhardwaj, Advocate for petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.  
Ms. Kajal, Advocate  
for Mr. Ajay Agarwal, Advocate  
for complainant.

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**HARKESH MANUJA, J. (ORAL)**

By way of present petition under Section 482 Cr.P.C. the petitioners pray for quashing FIR No.276, dated 12.11.2013 (Annexure P-1), under Sections 506/34 IPC and 3(1)(x) of Schedule Case and Schedule Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Ladwa, District Kurukshetra, Protest Petition/complaint dated 28.04.2015 (Annexure P-2) and summoning order dated 09.01.2020 (Annexure P-3) passed by Ld. Judicial Magistrate 1<sup>st</sup> Class, Kurukshetra, whereby the petitioners are summoned to face trial under Section 506/34 of IPC and 3(1)(x) of Schedule Case and Schedule Tribes (Prevention of Atrocities) Act, 1989 along with all consequential proceedings arising out of the same on the basis of the compromise dated 28.01.2020 (Annexure P-5)

2. As per the allegations levelled in the FIR, the petitioners uttered filthy language against the complainant and his family members in the name of caste & creed and threatened to kill the complainant.

3. In pursuance to an order dated 05.02.2020 passed by this Court whereby, the parties were directed to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 13.03.2020 has been received from the concerned Court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or undue influence. There is no other accused except the present petitioners and there is one complainant namely, Sonu. No accused has been declared as proclaimed offender.

4.. Learned counsel for the petitioner submits that once, a compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even, 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 On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the report dated 13.03.2020. 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 direction issued by the 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*** as well as in case of **“Chander Mohan alias Bunti Vs. State of Haryana and Ors. 2011(1) PLR 237”** and decision dated 10.12.2018 passed in CRM-M-20144-2018 titled as **“Suresh Kumar Kaushik and Anr. Vs. State of Punjab and Anr.”** wherein also this Court while invoking Section 482 has quashed the FIR recorded under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and all consequential proceedings arising therefrom.

7. 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, the FIR No.276, dated 12.11.2013 (Annexure P-1), under Sections 506/34 IPC and 3(1)(x) of Schedule Case and Schedule Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Ladwa, District Kurukshetra, Protest Petition/complaint dated 28.04.2015 (Annexure P-2) and summoning order dated 09.01.2020 (Annexure P-3) passed by Ld. Judicial Magistrate 1<sup>st</sup> Class, Kurukshetra, whereby the petitioners are summoned to face trial under Sections 506/34 of IPC and 3(1)(x) of Schedule Case and Schedule Tribes (Prevention of

Atrocities) Act, 1989 along with all consequential proceedings arising therefrom, are hereby quashed.

8. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.20,000/- by the petitioners(Rs.5,000/- each) within a period of two weeks from today in the following account:-

Account name: Punjab and Haryana high court  
Association Lawyer’s Welfare Fund  
Account No: 41564846387  
Bank Name: S.B.I. High Court Branch.

16.01.2023  
tejwinder

( HARKESH MANUJA )  
JUDGE

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|----------------------------------|---------------|
| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |