

CRM-M-8336-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(263)

CRM-M-8336-2020
Date of Decision:- 12.09.2023

Sachin Sharma and another

...Petitioners

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Saurabh Garg, Advocate for the petitioners.

Mr. Ramender Singh Chauhan, AAG, Haryana
for State-respondent No.1.

Mr. Upinder Prashar, Advocate for respondent No.2.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.195 dated 12.07.2016, registered for offences under Sections 323, 452, 506 and 34 of the Indian Penal Code, 1860, at Police Station DLF Phase-I, Gurugram, Annexure P-1, and charge-sheet dated 24.01.2017, Annexure P-2, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 18.01.2020, Annexure P-3, arrived at between the parties.
2. Counsel for the petitioners submits that FIR, Annexure P-1, is an outcome of a minor altercation between the parties, which has been amicably settled by compromise, Annexure P-3.
3. Counsel representing complainant-respondent No.2 submits that he does not have any objection in case the criminal proceedings are set aside.

4. Pursuant to order dated 26.02.2020 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“4. After careful perusal of the statement given on solemn affirmation by the complainant as well as accused vis-a-vis compromise concerning the present case and after careful analysis of the same, this Court is convinced that the compromise between the parties in question is (sic) appears to have been entered into voluntarily without any pressure or inducement and no such material is available on record which can reflect that the compromise has been effected under fear, threat, pressure or coercion.”

5. Heard counsel for the parties.

6. In view of the report given by the Trial Court and the judgment of the Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543* and a Full Bench of this Court in *Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

7. Accordingly, the petition is allowed. FIR No.195 dated 12.07.2016, registered for offences under Sections 323, 452, 506 and 34 of the Indian Penal Code, 1860, at Police Station DLF Phase-I, Gurugram, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

12.09.2023

Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No