

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(263)

CRM-M-14647-2023

Date of decision:- 08.08.2023

Sumeet Kumar

...Petitioner

Versus

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr.Lalit Kumar Narang, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Akshay Bansal, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (Oral)

The petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.397 dated 23.10.2018 under Sections 323, 498-A, 406, 506, 354, 34 of IPC, 1860 (Sections 34 and 354 of IPC deleted later on), registered at police Station Dadri City, District Charkhi Dadri and all other consequential proceedings arising therefrom on the basis of compromise dated 12.10.2022 (Annexure P-2).

This Court vide order dated 23.03.2023 directed the parties to get their statements recorded before the trial Court. A report dated 02.08.2023 from Chief Judicial Magistrate, Charkhi Dadri has been received through District and Sessions Judge, Bhiwani according to which the statements of the parties have been recorded and the compromise is genuine and has been arrived at between them out of their own free will.

Learned State counsel has admitted the factum of compromise and put forth his no objection to quashing of the FIR.

A Full Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another** reported as 2007(3) RCR(Criminal) 1052 and **Hon'ble Supreme Court in Ramgopal and another vs. State of Madhya Pradesh, 2022 ILR (M.P.) 228**, has discussed in detail the inherent powers of High Court in quashing a criminal proceeding or FIR or complaint where the parties have entered into compromise except the cases which involve offences such as murder, rape dacoity etc. as such offences are not private in nature and have serious impact on society.

In view of the above judicial pronouncements, this Court is of the of the considered opinion that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

Consequently, this petition is allowed and FIR No.397 dated 23.10.2018 under Sections 323, 498-A, 406, 506, 354, 34 of IPC, 1860 (Sections 34 and 354 of IPC deleted later on), registered at police Station Dadri City, District Charkhi Dadri and all other consequential proceedings arising therefrom are quashed qua the petitioner.

(HARPREET SINGH BRAR)
JUDGE

08.08.2023
Spn

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No