

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

282

**2023:PHHC:089067**

CRM-M-17320-2023

Date of decision: July 17<sup>th</sup>, 2023

Sandeep Kumar and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Vikrant Rana, Advocate  
for the petitioners.

Ms. Trishanjali Sharma, Deputy Advocate General,  
Haryana.

Mr. Manvender Rathi, Advocate  
for respondents No.2 to 4.

**MANJARI NEHRU KAUL, J. (ORAL)**

The instant petition is for quashing of FIR No.64 dated 16.02.2012 under Sections 147, 148, 149, 323, 324, 452, and 506 of the IPC (Sections 147, 148 and 149 IPC deleted during investigation) registered at Police Station Dadri Sadar, District Charkhi Dadri along with all consequential proceedings arising therefrom including judgment of conviction dated 08.02.2019 and order of sentence dated 18.02.2019 passed by learned Chief Judicial Magistrate, Charkhi Dadri on the basis of compromise dated 18.01.2023 (Annexure P-3).

2. Learned counsel for the petitioners submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioners vide Annexure P-2. In support of his submissions, he has placed reliance upon judgment of this Court in *Sube Singh and*

***another Vs. State of Haryana and another 2013(4) RCR (Criminal) 102*** and Hon'ble Supreme Court in ***Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021 : LL 2021 SC 589***, wherein it has been held that the powers of the Court under Section 482 of the Cr.P.C. can be invoked to quash a complaint/FIR on the basis of a voluntary compromise even at a post conviction stage.

3. Vide order dated 12.04.2023 of this Court, the parties were directed to appear before the Lower Appellate Court on 16.05.2023 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Additional Sessions Judge, Charkhi Dadri, in pursuance of the direction of this Court, wherein the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and respondents No.2 to 4 have also made a statement to the effect that they would have no objection if the FIR *qua* the petitioner is quashed.

5. The learned Additional Sessions Judge, Charkhi Dadri, has annexed copies of the statements of the parties along with his report.

6. In view of the report of the learned Additional Sessions Judge, Charkhi Dadri, and the principles laid down by the Apex Court in ***Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021 : LL 2021 SC 589*** and this Court in ***Sube Singh and another Vs. State of Haryana and another :***

**2013(4) RCR (Criminal) 102**, the instant petition is allowed.

The aforesaid FIR and all consequential proceedings arising therefrom including judgment of conviction dated 08.02.2019 and order of sentence dated 18.02.2019 passed by learned Chief Judicial Magistrate Charkhi Dadri, are quashed.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

**July 17<sup>th</sup>, 2023**  
*Puneet*

**(MANJARI NEHRU KAUL)**  
**JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No