

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-17717-2023

Date of Decision: July 04, 2023

Ashish @ Sonu Sharma

...Petitioner

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Lajpat Rai Sharma, Advocate
for the petitioner.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 669 dated 25.07.2022 under Sections 323, 341, 379-B of IPC and Section 3(I)(q) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015), [charges have been framed under Section 323, 341, 379-B IPC and Section 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015)], registered at Police Station Assandh, District Karnal (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise dated 24.03.2023 (Annexure P-3).

2. Vide order dated 13.04.2023 while issuing notice of motion, a Co-ordinate Bench of this Court had directed the parties to

appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 24.03.2023 (Annexure P-3).

3. Pursuant to aforesaid order, the parties have appeared before the learned Addl. District And Sessions Judge and got their statements recorded. Report dated 25.05.2023 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioners.

6. Resultantly, FIR No. 669 dated 25.07.2022 under Sections 323, 341, 379-B of IPC and Section 3(I)(q) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

(Amendment 2015), [charges have been framed under Section 323, 341, 379-B IPC and Section 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015)], registered at Police Station Assandh, District Karnal (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

July 04, 2023

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No