

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-19079-2023
Date of decision: 11.10.2023

Aman SonkarPetitioner.

Versus

State of Haryana and anotherRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. M.S. Chauhan, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, DAG, Haryana.

Mr. M.S. Hundal, Advocate,
for respondent No. 2.

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SANJIV BERRY, J. (ORAL)

Instant petition has been preferred seeking quashing of the FIR (Annexure P-1/T), and all other subsequent proceedings arising therefrom on the basis of compromise dated 11.04.2023 (Annexure P-4) effected between the parties. Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
165	17.03.2020	Sections 148/149/307/323/324/ 506 IPC Section 25 of the Arms Act (Section 307 IPC deleted and Section 326 IPC added later on)	P.S. Ambala Cantt. District Ambala Haryana

2. It is, *inter alia*, contended by learned counsel for the petitioner that FIR in question was registered against the petitioner at the instance of respondent No. 2. He contends that the co-accused of the present

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petitioner, namely Sahil, Sachin and Rishabh, have been acquitted by the learned Additional Sessions Judge, Ambala, vide order dated 29.03.2023 in Sessions Case No. 204 of 2020 titled '*State vs. Sahil and others*' (Annexure P-2).

3. Learned counsel for the petitioner further contends that during the pendency of the proceedings, after presentation of the challan against the petitioner, Section 307 IPC has been deleted and Section 326 IPC has been added. He further contends that with the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 11.04.2023 (Annexure P-4), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties.

4. Learned Additional Chief Judicial Magistrate, Ambala, vide report dated 20.05.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

5. Respondent No. 2 is represented by his counsel and does not oppose the compromise.

6. In view of the aforesaid report of learned Additional Chief Judicial Magistrate, Ambala, and in view of the decision of the Hon'ble Supreme Court in "*Gian Singh Vs. State of Punjab and another*", 2012(4) RCR (Criminal) 543 and "*Narinder Singh and Others Vs. State of Punjab and Another*", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings

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pending, since respondent No. 2 has himself compromised the dispute with the petitioner/ accused person.

7. In the circumstances, the present petition is allowed. FIR No. 165 dated 17.03.2020, under Sections 148, 149, 307, 323, 324 and 506 IPC, and Section 25 of the Arms Act, 1959 (Section 307 IPC deleted and Section 326 IPC added later on) (Annexure P-1/T) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise dated 11.04.2023 (Annexure P-4) qua the present petitioner.

11.10.2023
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |