

CRM-M-19262-2023

2023:PHHC:075827
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275 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19262-2023
DATE OF DECISION:-24.05.2023

Jaivir and others

...Petitioners.

vs.

State of Haryana and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Chanderhas Yadav, Advocate,
for the petitioners.

Mr. Gaurav Bansal, DAG, Haryana.

Mr. Amandeep Singh, Advocate
for respondents No.2 to 5.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.80 dated 15.03.2023, under Sections 147, 149, 323, 506 IPC, Section 3(1) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989(Amendment 2015), registered at Police Station Beri, District Jhajjar (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 15.04.2023 (Annexure P-2).

2. As per the allegations levelled in the FIR, petitioners entered into an altercation with the complainant and gave slaps and fist blows to him, besides it, they passed remarks about his caste as well.

3. In pursuance to an order dated 20.04.2023 passed by this Court, whereby the parties were directed to appear before the trial court for getting

their statements recorded as regards the veracity of compromise arrived at between them, a report dated 18.05.2023 has been received from the concerned court, stating that the parties have compromised the matter amongst themselves voluntarily and without any pressure. No accused has been declared as proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondents No.2 to 5 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

6. Thus, in view of the aforesaid FIR, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.80 dated 15.03.2023, under Sections

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147, 149, 323, 506 IPC, Section 3(1) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989(Amendment 2015), registered at Police Station Beri, District Jhajjar (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk's Association, within a period of two weeks from today.

24.05.2023
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No