

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

(235)

CRM-M-21917-2021

Date of Decision: 29.05.2023

Anil and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Baljeet Beniwal, Advocate, for the petitioners.

Mr. Gaurav Bansal, DAG, Haryana.

Mr. Saurabh Chobey, Advocate, for respondents No.2 to 7.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioners pray for quashing of FIR No.54 dated 13.03.2021, registered under Sections 148, 149, 323, 427, 452 and 506 IPC at Police Station Mundkati, District Palwal (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise.

2. As per allegations in the FIR, petitioners gave beatings and inflicted injuries to the complainant side resulting into registration of the present FIR.

3. In pursuance to an order dated 02.05.2023 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, report dated 26.05.2023 has been received from the concerned court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or under influence. Originally FIR was

registered against 12 persons, out of them, 3 were declared innocent by the investigating agency whereas, one Sunil as juvenile was acquitted vide judgment dated 22.05.2023 and the present petition has been filed by the remaining 9 persons (petitioners) having entered into the settlement with 6 victims i.e. respondents No.2 to 7. No accused has been declared as proclaimed offender. The stage of trial was fixed for evidence of prosecution.

4. Learned counsel for the petitioners submits that once, the compromise has been arrived at between the parties without any pressure and respondent No.2 to 7 have no objection as regards quashing of FIR as well as other subsequent proceedings arising out of the same against the petitioners, the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He further submits that 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. On the other hand, learned State counsel submits that injuries have been inflicted upon the victims.

6. Having heard learned counsel for the parties, they having settled their dispute so as to live peacefully 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 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.

7. Thus in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgment, the instant petition is allowed and FIR No.54 dated 13.03.2021, registered under Sections 148, 149, 323, 427, 452 and 506 IPC at Police Station Mundkati, District Palwal (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed.

8. The aforesaid order shall however, be subject to payment of costs of Rs.30,000/- to be deposited by the petitioners with the PGI Poor Patients Welfare Fund, Chandigarh, within a period of two weeks from today.

(HARKESH MANUJA)
JUDGE

29.05.2023
anil

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No