

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

Date of Decision: 21st August, 2023

(1) CRM-M-21106 of 2023

Deepak and others

... Petitioners

Versus

State of Haryana and others

... Respondents

(2) CRM-M-22083 of 2023

Sandeep @ Sunny and another

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Nikhil Vats, Advocate for the petitioners in
CRM-M-21106 of 2023 and for the complainant in
CRM-M-22083 of 2023.
Mr. Rajiv Sidhu, DAG, Haryana.
Mr. Amit Khari, Advocate for for the petitioners in
CRM-M-22083 of 2023 and for the complainant in
CRM-M-21106 of 2023.

AVNEESH JHINGAN , J.(Oral)

1. These petitions under Section 482 of Code of Criminal Procedure are filed seeking quashing of FIR No. 247 dated 1.8.2017, under Sections 323, 324, 506 and 34 IPC (Section 452 IPC added later on) and FIR No. 252 dated 5.8.2017, under Sections 323, 324, 506 and 34 IPC,

registered at Police Station, City Purani Subzi Mandi, Rohtak and all subsequent proceedings arising therefrom on the basis of compromise.

2. As per the FIRs, both the parties inflicted injuries to each other.

3. The parties with the intervention of respectables have compromised the matter.

4. On 27.04.2023 and 03.05.2023, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise.

5. The reports dated 9th May, 2023 are received stating that the compromise is genuine, voluntary, without any coercion or undue influence. Further that none of the accused in these petitions has been declared as proclaimed offender.

6. Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, has held:-

“There is no statutory bar in Cr.P.C. which affects inherent power of this Court under Section 482. The power of quashing is not limited to matrimonial cases alone.”

7. The Supreme Court in ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, 2017 AIR (SC) 4843*** laid down the broad principles governing the exercises of powers of quashing of FIR. It was held that the power under Section 482 Cr.P.C. is to be exercised by the High Court to secure the ends of justice, to prevent abuse of any process of law and in cases where in view of the compromise the possibility of conviction is remote and continuation of

proceeding will cause oppression and prejudice.

8. With the intervention of friends and relatives, the parties have decided to forget and forgive. No useful purpose would be served by continuing with the trial. Due to compromise, there are bleak chances of conviction. To meet the ends of justice, the FIRs mentioned above and all consequential proceedings arising therefrom are quashed.
9. The petitions are allowed.
10. Photocopy of the order be placed on the file of connected case.

(AVNEESH JHINGAN)

JUDGE

21st August, 2023

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Whether reasoned/speaking	Yes
Whether reportable	Yes