

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 252

CRM-M-23027-2022

Date of decision : 13.03.2023

Shyam Singh and others

..... Petitioners

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Amit Jain, Advocate, for the petitioners.

Mr.Rajiv Sidhu, DAG, Haryana.

Ms.Anjali, Advocate, for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.180 dated 20.07.2012 registered under Sections 147, 148, 323, 325 and 506 IPC (charges framed under Sections 148, 323, 325, 506 and 149 IPC) at Police Station Badshahpur, District Gurgaon and all proceedings arising therefrom qua the petitioners on the basis of a compromise dated 17.05.2022 (Annexure P-3) entered into between the parties.

On 26.05.2022 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements as to whether there is any other accused other than the petitioners; whether there is any other complainant or affected/aggrieved party other than the respondents; whether any accused has been declared a proclaimed offender and whether the compromise is valid and has been effected without any influence or coercion.

As directed, report dated 02.07.2022 from the Judicial Magistrate

Ist Class, Gurugram has been received as per which the parties had recorded

recorded their statements before the Trial Court in terms of the compromise arrived at between them; only the petitioners are arrayed as the accused; apart from respondent No.2, respondents No.3 is also the injured/aggrieved person; accused have not been declared proclaimed offender(s) and that the compromise is genuine.

Learned State counsel has no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which offences are not heinous as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in *Narinder Singh vs State of Punjab* (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.180 dated 20.07.2012 registered under Sections 147, 148, 323, 325 and 506 IPC (charges framed under Sections 148, 323, 325, 506 and 149 IPC) at Police Station Badshahpur, District Gurgaon and all proceedings arising therefrom qua the petitioners.

13.03.2023
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[DEEPAK SIBAL]
JUDGE

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