

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

274

CRM-M-23312-2023

Date of decision: 03.08.2023

Rakesh Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**Present:** Mr. Pawan Attri, Advocate
for the petitioners.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Mr. Tarun, Advocate for
Ms. Pinki Mehla, Advocate
for respondent No.2-complainant.

SUVIR SEHGAL, J. (ORAL)

1. Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.318, dated 07.11.2020 (Annexure P-1), registered at Police Station Kalayat, District Kaithal, under Sections 148, 149, 323, 324, 341, 506 IPC (Sections 325, 326, 427 of IPC were added later on) on the basis of compromise dated 01.03.2023 (Annexure P-2).
2. Counsel for the petitioners submits that dispute is an outcome of a minor altercation between the parties, which has been amicably settled.
3. Reply by way of affidavit of Deputy Superintendent of Police, Kalayat, District Kaithal has been filed on behalf of the respondent-State, which is taken on record. State counsel has opposed the petition by submitting that some of the offences are not compoundable.
4. Counsel for complainant-respondent No.2 has, however, admitted the factum of settlement and does not oppose the prayer made in the petition.
5. Pursuant to order dated 08th May, 2023, report has been received

from the learned Judicial Magistrate and its relevant extract is as under:-

“It is submitted that after going through the statement made by the complainant and accused persons, this court is satisfied that the statements regarding the compromise is made by them out of their own free-will and without any threat or coercion from any side. The compromise also appears to be voluntarily in nature.”

6. In **Ramgopal and another Versus The State of Madhya Pradesh 2021 (4) RCR (Criminal) 322**, Supreme Court has held that when parties have amicably settled their dispute and the complainant/victim has willingly consented to the nullification of the criminal proceedings, High Court can quash such proceedings in exercise of its inherent powers under Section 482 of the Code even if the offences are non-compoundable.

7. Accordingly, petition is allowed. FIR No.318, dated 07.11.2020 (Annexure P-1), registered at Police Station Kalayat, District Kaithal, under Sections 148, 149, 323, 324, 341, 506 IPC (Sections 325, 326, 427 of IPC were added later on) and all consequential proceedings arising therefrom, is quashed **qua the petitioners.**

03.08.2023

Parveen kumar

(SUVIR SEHGAL)
JUDGE

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