

258 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-24294-2023

DATE OF DECISION:-18.12.2023

Sanjeet Kumar and others

...Petitioners.

vs.

State of Haryana and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ravinder Hooda, Advocate,
for the petitioners.

Mr. G.S. Dhillon, AAG, Punjab.

None for respondent No.2

HARKESH MANUJA, J.

1. By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.385, dated 20.09.2021, under Sections 323, 34, 452, 506 IPC and Section 25 of the Arms Act, 1959 (Sections 27 and 30 of Arms Act added later on), registered at Police Station Urban Estate, Rohtak, District Rohtak (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 29.04.2023 (Annexure P-2).

2. As per allegations levelled in the FIR, the petitioners while entering the office of the complainant, gave abuses and beatings to him, besides it, petitioner No.1 also took out his pistol and threatened to eliminate him in case money is not returned.

3. In pursuance of order dated 12.05.2023 passed by this Court,

whereby 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 04.07.2023 has been received from the concerned court, stating that the arrived at between the parties is genuine, voluntary, without any coercion or undue influence. No accused has been declared as proclaimed person.

4. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 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 facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the

aforementioned judgments, FIR No.385, dated 20.09.2021, under Sections 323, 34, 452, 506 IPC and Section 25 of the Arms Act, 1959 (Sections 27 and 30 of Arms Act added later on), registered at Police Station Urban Estate, Rohtak, District Rohtak as well as all 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 by the petitioners with the Punjab and Haryana High Court Association Lawyer's Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from the date of receipt of certified copy of this order.

18.12.2023

sonika

(HARKESH MANUJA)
JUDGE

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