

238 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25792-2022

DATE OF DECISION:-09.01.2023

Taffazzul Hussain and others

...Petitioners

vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Mazlish Khan, Advocate for the petitioners.

Mr. Vijesh Sharma, Additional Advocate General, Haryana.

None for respondents No.2 to 5.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.0031 dated 01.02.2017, under Sections 323, 34 and 506 IPC, registered at Police Station Nagina, District Nuh, Haryana along with all consequential proceedings arising out of the same on the basis of compromise deed dated 07.05.2022 (Annexure P-1).

2. As per the allegations levelled in the FIR, on 29.01.2017, the petitioners scuffled with complainant party and gave beatings to them. As a result of which, complainant party received multiple injuries.

3. In pursuance to an order dated 04.07.2022 passed by this Court, whereby the parties were directed to appear before the trial court for getting their statements recorded as regard the veracity of the compromise arrived at between them, report dated 29.09.2022 has been received from the concerned court, stating that the compromise arrived between the parties is

with their own free will, genuine and for benefit of both the parties. There is no other accused except the petitioners. No accused has been declared proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent Nos.2 to 5 have no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute is purely personal in nature and does not appear to be any impediment as regards quashing of present FIR. Even otherwise, the parties to the dispute are near relatives and in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences has 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. Since the parties have arrived at a compromise, in order to live in peace, 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.***

6. 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 judgments, the FIR No.0031 dated 01.02.2017, under Sections 323, 34 and 506 IPC, registered at Police Station Nagina, District

Nuh, Haryana as well as all the subsequent proceedings arising therefrom
are hereby quashed.

7. Petition stands disposed of.

09.01.2023
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(HARKESH MANUJA)
JUDGE

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