

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

CRM-M-25224-2023
Decided on : 20.09.2023

Gulshan Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. R.S.Bajwa, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Mr. D.P.S.Bajwa, Advocate for
Mr. Rohit Choudhary, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.

1. The instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.03 dated 07.01.2023 under Section 174-A IPC registered at Police Station Safidon, District Jind and all the subsequent proceedings arising out of the same.

2. Learned counsel for the petitioner, at the outset, has drawn the attention of this Court to compromise dated 21.03.2023 (Annexure P-11) wherein it stands reflected that the matter has been compromised between the petitioner and accused. Learned counsel submits that on the basis of compromise, petitioner and other accused persons filed a quashing petition bearing CRM-M-16950-2023 before this Court wherein vide order dated 12.04.2023 (Annexure P-12) parties were directed to appear before the Illaqa Magistrate/trial Court for recording of their

statements with regard to compromise. A prayer, therefore, has been made that in the aforementioned facts and circumstances, no purpose would be served by prosecuting the petitioner under Section 174-A IPC, more so, when he was not involved in any other criminal case nor had he been declared a proclaimed offender prior thereto in any other case. In support of his submissions, learned counsel has placed reliance upon the judgment of this Court in ***Sher Singh vs. State of Haryana (CRM-M-11846-2023) decided on 09.03.2023.***

3. Learned counsel appearing for the complainant admits the factum of a compromise having been effected between the parties and their respective statements qua the same have also been recorded.

4. Learned State counsel has, however, opposed the prayer made by the counsel opposite and contended that it was evident that the petitioner had intentionally not appeared during the proceedings before the Court below and hence, the prayer of the petitioner deserved to be declined.

5. Heard learned counsel for the parties and perused the relevant material on record.

6. In the light of submissions made by learned counsel representing the petitioner together with the fact that matter has been compromised between the parties and their statements qua the same has also been recorded before the Court below, this Court deems it appropriate to quash the criminal proceedings in the instant case.

7. Accordingly, the petition is allowed, and the FIR (Annexure P-1) and all consequential proceedings arising out of it, are quashed.

20.09.2023
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(MANJARI NEHRU KAUL)
JUDGE

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