

**244 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-26992-2023 (O&M)
DATE OF DECISION: 11.08.2023****Sonu and others****...Petitioners****Versus****State of Haryana and another****...Respondents****CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Prince Sarangal, Advocate,
for the petitioners.

Mr. Karan Garg, AAG, Haryana.

Mr. Himanshu Joshi, Advocate,
for respondent No.2.

ARUN MONGA, J. (ORAL)

Petitioners seek quashing of FIR No.23 dated 30.01.2021 (Annexure P-1) registered under Sections 323, 325, 308, 506, 148 read with Section 149 of IPC, 1860 at Police Station, City Pehowa, District Kurukshetra on the basis of compromise dated 26.04.2023 (Annexure P-2), stated to have been arrived between the parties.

2. Counsel for the petitioners submits that even though Section 308 has been invoked in the FIR but as per the complainant/respondent No.2 there is no such role attributed to the petitioners.

3. Since quashing was sought on the basis of compromise, this Court on 26.05.2023 had directed the parties to appear before the *Illaq*a Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

4. Report dated 11.07.2023 of learned Additional Sessions Judge, Kurukshetra had been received. Report reveals that statements of complainant party i.e. respondent No.2 as also of accused/present petitioners herein, were duly recorded. It is opined that a compromise has been arrived at without any

pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.2 and accused/petitioners have arrived at a compromise voluntarily and without any coercion. Report further reveals that complainant/respondent No.2-Labh Singh has categorically submitted he had entered into any compromise with co-accused-Shelly who has not been yet arrested by the Police till date.

5. Learned counsel for complainant/respondent No.2 states that he would have no objection to the quashing of FIR in question.

6. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled *Ramgopal and anr. V. The State of Madhya Pradesh*¹ and a Full Bench decision of this Court in *Kulwinder Singh and others V. State of Punjab and others*².

7. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

8. Petition is thus allowed. FIR No.23 dated 30.01.2021 (Annexure P-1) registered under Sections 323, 325, 308, 506, 148 read with Section 149 of IPC, 1860 at Police Station, City Pehowa, District Kurukshetra and all proceedings emanating there from *qua* the petitioners stand quashed.

9. Pending application(s), if any, shall also stand disposed of.

11.08. 2023

Jyoti Thakur

(ARUN MONGA)

JUDGE

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

¹Criminal Appeal No.1489 of 2012