

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

**CRM-M- 31954-2022 (O&M)
Date of Decision:21.12.2023**

Anil ...Petitioner

vs.

State of Haryana and others ...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Randeep S. Dhull, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

Mr. Sanjeev Majra, Advocate
for respondents No.2 to 4.

N.S.Shekhawat J. (Oral)

CRM-53249-2023

1. The present application has been filed under Section 482 Cr.P.C with a prayer to restore the main case i.e CRM-M-31954-2022, which was dismissed for non-prosecution vide order dated 11.12.2023.

2. Notice of the application.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana., accepts notice on behalf of respondent-State and he has no objection, if the main case is restored to its original position.

3. For the reasons mentioned in the application, the application is allowed and the main case is restored to its original number and status.

Main case

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 241 dated 25.12.2021 under Sections 147,149,186,342,353,506 of IPC registered at Police Station Titram District Kaithal alongwith all the consequential proceedings arising therefrom on the

basis of compromise/affidavit dated 05.07.2022 (Annexure P-1).

2. Vide order dated 27.02.2023, while issuing notice of motion, a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 05.07.2022 (Annexure P-1).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Kaithal and got their statements recorded. Report dated 27.03.2023 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.

6. Resultantly, FIR No. 241 dated 25.12.2021 under Sections 147,149,186,342,353,506 of IPC registered at Police Station Titram District Kaithal alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

21.12.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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