

CRM-M-32953-2023

Date of Decision: 01.09.2023

RAJ KUMAR AND ORS.

...Petitioners

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Sandeep Kotra , Advocate for the petitioners.

Ms. Gaganpreet Kaur, DAG, Haryana.

Mr. Vishal Thakur, Advocate for respondent Nos. 2 to 5.

SANJIV BERRY, J. (Oral)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/Memorandum of Understanding dated 04.07.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
31	04.04.2017	323, 452, 506 & 34 IPC	Titram, District Kaithal.

[2]. The parties have arrived at a settlement vide compromise/Memorandum of Understanding dated 04.07.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Chief Judicial Magistrate, Kaithal, vide report dated 14.08.2023 has apprised this

Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent Nos. 2 to 5 are represented by the counsel and do not oppose the compromise.

[4]. In view of the report of the Chief Judicial Magistrate, Kaithal, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending, since the respondents have himself compromised the dispute with the petitioners.

[5]. In the circumstances, the present petition is allowed. FIR No. 31 dated 04.04.2017 under Sections 323, 452, 506 & 34 IPC registered at Police Station Titram, District Kaithal, (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise *qua* the present petitioners.

(SANJIV BERRY)
(JUDGE)

01.09.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No