

CRM-M-32684-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32684-2023

Date of decision:-31.10.2023

Maneet Singh and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Lalit Mohan Barara, Advocate
for the petitioners.

Ms.Geeta Sharma, DAG, Haryana.

Mr.Talim, Advocate
for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0192 dated 03.07.2023, under Sections 406 and 420 IPC, registered at Police Station Shahzadpur, District Ambala (Annexure P1), along with all subsequent proceedings arising therefrom, on the basis of compromise deed dated 05.07.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioners submits that the FIR is an outcome of a financial dispute, which has been amicably settled between the parties.

3. Counsel for the respondent No.2/complainant has admitted the factum of compromise.

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4. Heard counsel for the parties.

5. Pursuant to order dated 09.08.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“1. As per FIR No.192 dated 03.07.2023, there are total two persons namely, Maneet Singh son of Charanjeet Singh and Rahul Panjeta son of Roop Singh, who are arrayed as accused in the present case and both accused have appeared before the Court. It is further submitted that none of the accused is absconding/proclaimed offender in the case.

2. As per final report under Section 173 Cr.P.C. and the statement of complainant, Surinder Kumar is only complainant and aggrieved of the present case. It is further submitted that he has appeared before the Court to make his statement in support of the compromise.

3. It is humbly submitted that at present, case is at the stage of arguments on charge.

4. It is further humbly submitted that after recording the statement of the parties, this Court is of the considered view that compromise has been effected among the parties by their free will, in sound state of mind and without any pressure or coercion or undue influence and compromise is genuine and voluntarily.

5. It is further humbly submitted that as per joint statement of accused persons, no other criminal case is pending against them except the present case.”

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6. In view of the report given by the learned Magistrate and judgment of the Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543* and a Full Bench of this Court in *Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

7. Accordingly, the petition is allowed. FIR No.0192 dated 03.07.2023, under Sections 406 and 420 IPC, registered at Police Station Shahzadpur, District Ambala, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

31.10.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No