

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

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CRM-M-32920-2023

Date of Decision:11.10.2023

Prince and others

...Petitioners

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sushil Kumar Verma, Advocate, for the petitioners.
Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.
Mr. Rajat Verma, Advocate, for respondent No.2.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 186 dated 12.05.2023 registered under Sections 147, 149, 294, 323, 341, 355, 365, 379-B, 506 and 509 IPC and 67 of the Information Technology Act at Police Station Ellenabad, District Sirsa, (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise deed (Annexure P-2) and affidavits dated 01.07.2023 (Annexures P-3 to P-7) arrived between the parties.

2. Vide order dated 13.07.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the Sub Divisional Judicial Magistrate, Ellenabad, and got

their statements recorded. Report dated 16.08.2023 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 petitioners.

6. Further, the learned counsel for the petitioners, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in **Jayrajsinh Digvijaysinh Rana Versus State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589** and this Court in **Joginder Singh & another Vs. State of Punjab and another, CRM-M-23739-2010 decided on 27.04.2011, Rajinder Singh Vs. State of Punjab & another, CRM-M-37395-2016 decided on 16.05.2017, Bhoj Raj Vs. State of Punjab & another, CRM- 24945-2019**

decided on 27.09.2019 and Vimal Kalra & others Versus State of Punjab & another, CRMM-20355-2022, decided on 25.07.2022 submits that partial quashing of the FIR was possible on the basis of a compromise.

6. Resultantly, FIR No. 186 dated 12.05.2023 registered under Sections 147, 149, 294, 323, 341, 355, 365, 379-B, 506 and 509 IPC and 67 of the Information Technology Act at Police Station Ellenabad, District Sirsa, (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

11.10.2023
amit rana

(N.S.SHEKHAWAT)
JUDGE

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