

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39229-2021

Date of decision:-06.10.2023

Lakha Singh and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Rajesh K. Choudhary, Advocate and
Ms.Priyanka, Advocate for
Mr.Umesh Kumar Mahaour, Advocate
for the petitioners.

Mr.Ramender Singh Chauhan, AAG, Haryana.

Mr.Gaurav Antwal, 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.149 dated 16.03.2021, under Sections 148, 149, 323, 324, 506 IPC, registered at Police Station Assandh, District Karnal (Annexure P1), along with all subsequent proceedings arising therefrom, on the basis of compromise dated 29.08.2021, Annexure P3, arrived at between the parties.

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

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

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the factum of compromise.

4. Heard counsel for the parties.

5. Pursuant to order dated 26.07.2023 passed by this Court, report has been received from the Judicial Magistrate, which is part of record of connected petition bearing CRM-M-39312-2021. Its relevant extract is as under:-

“In this regard, it is respectfully submitted that there are in total 7 persons who were arrayed as accused in the FIR No.149 dated 16.03.2021, under Sections 148, 149, 323, 324, 326 and 506 IPC P.S. Assandh. However, during the investigation, three accused namely Jaswinder Singh @ Jash Singh, Lakha Singh and Harpreet Singh @ Hari Singh were found innocent and final report u/s 173 Cr.P.C. was filed against accused Tirlochan Singh, Anmol Singh, Bhupinder Singh and Gurdev Singh. Lakha Singh son of Balkar Singh, Tirlochan Singh son of Lakha Singh, Jaswinder Singh @ Jash Singh son of Lakha Singh, Anmol Singh son of Tirlochan Singh (through Video Conferencing), Gurdev Singh son of Satnam, Bhupinder Singh son of Satnam Singh (through Video Conferencing) and Harpreet Singh @ Hari Singh are appearing before the Court and out of these above named Lakha Singh, Jaswinder Singh @ Jash Singh and Harpreet Singh @ Hari Singh were found innocent during the investigation. Accused namely Gurdev Singh and Tirlochan Singh are on bail in the present case whereas presence of accused namely Bhupinder Singh and Anmol Singh was to be secured by way of written proclamation as per provisions under Section 82 Cr.P.C. Further,

there is only one complainant/injured namely Vikramjeet Singh. Today, aforesaid Lakha Singh, Tirlochan Singh, Jaswinder Singh, Gurdev Singh, Harpreet Singh @ Hari Singh and Bhupinder Singh (through V.C.) and Anmol Singh (through V.C.) and complainant/Injured Vikramjeet Singh (through V.C.) appeared before the Court for getting recorded their statements in compliance of order dated 26.07.2023 as well as 13.09.2023 passed in CRM-M-36304-2023, CRM-M-36379-2023 & CRM-M-39229-2021 by Hon'ble Punjab & Haryana High Court, Chandigarh. The compromise arrived at between the parties is genuine, bonafide, without any pressure and voluntary between the parties.

Further, there is no other accused in the FIR and the parties are not involved or declared proclaimed offender in any other criminal case."

6. In view of the settlement, report of the learned Magistrate, 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.149 dated 16.03.2021, under Sections 148, 149, 323, 324, 506 IPC, registered at Police Station Assandh, District Karnal (Annexure P1), along with all

subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

06.10.2023
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Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No