

CRM-M-35427-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(115+228)

CRM-M-35427-2023 (O&M)
Date of Decision:- 01.09.2023

Sunil and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. A.P.S.Nain, Advocate
for the applicants-petitioners.

Mr. Ramender Singh Chauhan, AAG, Haryana
for State-respondent No.1.

Mr. Nitin Kadian, Advocate for
Mr. Yashveer Kharb, Advocate
for the respondents No.2 to 4.

SUVIR SEHGAL, J. (Oral)

CRM-35913-2023

1. Application is allowed as prayed for.
2. Petitioners are permitted to add offences under Sections 427 and 452, Cr.P.C. at the appropriate places in the petition.
3. Amended petition is taken on record.

Main case

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.523 dated 05.06.2023, registered for offences under Sections 148, 149, 323 and 506 of the Indian Penal Code, 1860, at Police Station Samalkha, Panipat, District Panipat, Annexure P-1, along with all subsequent proceedings arising therefrom, on

the basis of compromise dated 22.06.2023, Annexure P-3, arrived at between the parties.

2. Counsel for the petitioners submits that FIR, Annexure P-1, is an outcome of a minor altercation between co-villagers, which has been amicably settled.

3. Reply by way of an affidavit of Deputy Superintendent of Police, Samalkha, District Panipat has been filed on behalf of State-respondent No.1, which is taken on record.

4. Upon instructions, State counsel submits that the matter is under investigation.

5. Counsel representing complainant and victims, respondents No.2 to 4 has supported that the prayer made in the petition.

6. Pursuant to order dated 24.07.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“2. It is an honour to submit that as per statement (copy attached) of Investigating Officer, there were twelve accused arrayed in the FIR and all have appeared before the Court and made statement of compromise.

3. It is submitted that as per statement of Investigating Officer, no any accused is declared as proclaimed offender.

4. It is submitted that case is now adjourned for awaiting of challan.

5. It is submitted that as per compromise statements

(copies attached) of parties, they have arrived at compromise with each other and compromise is genuine, voluntarily and without any coercion, undue influence, misrepresentation etc.

6. *It is an honour to submits that as per statement (copy attached) of Investigating Officer, no any criminal case is pending against any accused.”*

7. Heard counsel for the parties.

8. In view of the report given by the Trial Court and the 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.

9. Accordingly, the petition is allowed. FIR No.523 dated 05.06.2023, registered for offences under Sections 148, 149, 323 and 506 of the Indian Penal Code, 1860, at Police Station Samalkha, Panipat, District Panipat, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

01.09.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No