

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

**CRM-M-41546-2021
Date of decision: 01.03.2023**

Biri @ Manjit Singh and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. N.S. Dandiwal, Advocate
for the petitioners.

Mr. Rahul Mohan, D.A.G., Haryana.

Mr. A.P. Kaushal, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.161 dated 09.06.2021, under Sections 323, 324, 506, 148 and 149 of IPC, registered at Police Station Sadar Bahadurgarh, District Jhajjar, Haryana all the subsequent proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

Learned counsel for the petitioners submits that the present FIR is an outcome of minor scuffle between the parties during farmer agitation. Subsequent to the registration of FIR, a compromise was arrived at between the parties and as a result of which, the petitioners moved this Court qua quashing of FIR in question.

Vide order dated 21.04.2022 of this Court, the parties were directed to appear before the Illaqa Magistrate/trial Court, Jhajjar on 27.05.2022 to get their respective statements recorded regarding the compromise arrived at, between them.

Report dated 04.06.2022 has since been received from the Civil Judge (Junior Division), Bahadurgarh in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is genuine, voluntary, out of their own free will and without any pressure. The trial Court has annexed the statement of the parties alongwith its report.

Learned State counsel submits that there are two more accused other than the petitioners, who have not been made party to the said compromise.

A perusal of the FIR shows that the main role has been attributed to the 02 accused who are not a party to the compromise. Petitioners, by this Court, have only been attributed minor roles in the incident alleged in the FIR.

In view of the report of the Civil Judge (Junior Division), Bahadurgarh and the principles laid down by the Apex Court in '**Gian Singh Vs. State of Punjab and others, (2012) 10 SCC 303**', and also by the Full Bench of this Court in '**Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**', the instant petition is allowed. The aforesaid FIR along with all subsequent proceedings arising out of them, are quashed *qua* the petitioners only.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

01.03.2023
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(MANJARI NEHRU KAUL)
JUDGE

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