

CRM-M-35310-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(227)

CRM-M-35310-2023

Date of Decision:- 01.09.2023

Jai Bhagwan

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Abhijeet Sharma, Advocate
for the petitioner.

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

Mr. Vijay Dahiya, Advocate
for the 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.893 dated 28.12.2018, registered for offences under Sections 297 and 337 of the Indian Penal Code, 1860, at Police Station Sampla, District Rohtak, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise deed dated 12.05.2023, Annexure P-2, arrived at between the parties.

2. Counsel for the petitioner submits that FIR, Annexure P-1, is a result of a minor vehicular accident in which some injuries were suffered by the complainant. He submits that the dispute has been amicably settled and the parties have recorded their statements in support of the compromise.

3. Upon instructions, State counsel submits that the prosecution evidence is underway.

4. Counsel representing complainant-respondent No.2 has supported the prayer made in the petition.

5. 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:-

“1. The FIR was registered against an unknown person with regard to road rage. During investigation, involvement of accused Jai Bhagwan was found. Hence he is the only accused in this case and he has duly made statement before Court. He is no PO in the case.

2. There is only one complainant and injured/aggrieved namely Prateek Poonia. He has appeared before the Court and made statement in support of compromise.

3. The case is at the stage of prosecution evidence and two witnesses have been examined so far.

4. The compromise entered between the parties is genuine, voluntary and without any coercion or undue influence.

5. Following five criminal cases are pending against accused:-

1. FIR No.114/2012 u/ss 308, 336/34 of IPC, P.S. Chawla, District Dwarka.

2. FIR No.289/2013 u/ss 323, 341, 357 of IPC, P.S Vasant Kunj, South, District South West.

3. FIR No.559/2014 u/ss 376-D, 342, 506 of IPC, P.S Vasant Kunj, South, District South West.

4. FIR No.380/2015 u/ss 341, 506/34 IPC & 27 of Arms Act, P.S. Chawla, District Dwarka.

5. FIR No.546/2017 u/ss 25/27 of Arms Act & 336, 337 of IPC, P.S Vasant Kunj, South, District South West.”

6. Heard counsel for the parties.

7. 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.

8. Accordingly, the petition is allowed. FIR No.893 dated 28.12.2018, registered for offences under Sections 297 and 337 of the Indian Penal Code, 1860, at Police Station Sampla, District Rohtak, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

(SUVIR SEHGAL)
JUDGE

01.09.2023
Kamal

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