

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

CRM-M-38064-2023

Date of Decision: 25.09.2023

KULDEEP SINGH AND ORS.

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Wazir Singh, Advocate for
Mr. Lovedeep Saini, Advocate
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Ms. Palkin Bhardwaj, Advocate for
Mr. Sunny Kumar, Advocate
for respondent No.2.

SUVIR SEHGAL, J (ORAL)

1. Instant petition has been filed under Section 482, Cr.P.C., seeking quashing of FIR No.858 dated 22.05.2023, registered for offences under Sections 323, 506 and 34, IPC, at Police Station Civil Line, Karnal, District Karnal, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 29.07.2023, Annexure P-2, arrived at between the parties.

2. Counsel for the petitioner submits that FIR, Annexure P-1, is an outcome of a minor altercation between the parties over a petty dispute, which has been amicably settled by way of compromise, Annexure P-2.

3. Counsel representing respondent No.2 submits that he does not have any objection in case the criminal proceedings are set aside.

4. Pursuant to order dated 04.08.2023 passed by this Court, report has been received from the Chief Judicial Magistrate, Karnal, relevant extract of

which is as under:-

“(1) Three persons, namely, Kuldeep Singh, Sukbir Singh and Satyawar have been arrayed as accused in the present FIR. All of them appeared. No accused has been declared proclaimed offender.

(2) Name of complainant is Prem Chand has his statement has been recorded.

(3) Challan has not been received in the Court.

(4) Compromise entered between the parties is genuine, voluntary and out of free will of the parties.

(5) No other criminal case is pending against accused.”

5. Heard counsel for the parties.

6. In view of the report given by the learned Magistrate 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.

7. Accordingly, the petition is allowed. FIR No.858 dated 22.05.2023, registered for offences under Sections 323, 506 and 34 IPC, at Police Station Civil Line, Karnal, District Karnal, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

25.09.2023

Kusum

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