

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

Sr. No.221

CRM-M-38219-2023 (O&M)
Date of decision : 16.12.2023

Manish and another

..... Petitioners

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Narender Kaajla, Advocate, for the petitioners.

Mr. K.S. Thakur, AAG, Haryana

Mr. G.S. Duhan, Advocate for

Mr. Jitender Sehrawat, Advocate, for respondents No.2 & 3.

HARPREET KAUR JEEWAN, J. (Oral)

The present petition under Section 482 Cr.P.C. has been filed for quashing of FIR No.718 dated 28.07.2022, under Sections 354, 120-B, 34 IPC, registered at Police Station HTM Hisar, on the basis of compromise deed dated 22.07.2023 (Annexure P-2) executed between the parties.

2. Learned counsel for the petitioners *inter alia* contends that the FIR had been got registered due to the dispute arisen out of some misunderstanding between petitioners and respondents No.2 and 3-complainants, but now, with the intervention of the respectables, they have amicably settled/resolved their dispute and the compromise dated 22.07.2023 (Annexure P-2) has been effected between the parties.

3. The FIR was registered on the basis of statement of respondent No.2 wherein she alleged that on 28.07.2022, she alongwith her friend were going to street No.3 and suddenly two persons on a bike approached them, slapped them on backside and tried to misbehave with them.

4. On 01.09.2023, Sh. Jitender K. Sehrawat, Advocate put in appearance on behalf of respondents No.2 and 3 and confirmed the factum of compromise having been arrived at between the parties. Accordingly, the private parties were directed to appear before the Illaqa Magistrate/trial Court for recording of their statements and the report regarding genuineness of compromise was sought from the Illaqa Magistrate/trial Court.

5. As per the report dated 10.10.2023 submitted by Judicial Magistrate, Ist Class, Hisar, respondent No.2-complainant Tamana suffered a statement that compromise has been mutually executed between her and the petitioners Manish and Rajesh Kumar. Respondent No.3-victim Parul also suffered a similar statement before the Judicial Magistrate. It has been submitted in the report that compromise arrived at between the parties appears to be voluntary and without any pressure. The statement of investigating officer has also been recorded who has stated that in the present FIR, the final report under Section 173 Cr.P.C. has been filed only against the petitioners Manish and Rajesh Kumar. No other case is pending against the petitioners and they have not been declared as proclaimed offender.

6. Learned counsel appearing for respondents No. 2 and 3 also confirmed about the factum of compromise and submits that respondents No.2 & 3 have no objection if the present petition is allowed.

7. Learned State counsel has not raised any objection regarding the acceptance of the present petition.

8. Hon'ble the Full Bench of this Court in **Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal) 1052**, has held that the High Court has power under Section 482 Cr.P.C. to allow

where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

9. Keeping in view the fact that the parties are young, they have mutually settled their disputes and respondents No.2 and 3 do not want to take any action against the petitioners in the present FIR, further lingering on the criminal proceedings would not meet the ends of justice. Keeping in view these facts, it is in the interest of justice that criminal proceedings arisen out of the present FIR should be quashed.

10. Consequently, the present petition is allowed and FIR No.718 dated 28.07.2022, under Sections 354, 120-B, 34 IPC, registered at Police Station HTM Hisar, and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

11. Pending miscellaneous application(s), if any, also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

16.12.2023
Ramandeep Singh

Whether speaking / reasoned	Yes/No
Whether Reportable	Yes/No