

CRM-M-41102-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(328)

CRM-M-41102-2023

Date of Decision:- 31.10.2023

Sachin @ Sachiv

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rajesh Duhan, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana
for State-respondent No.1.

Ms. Gurmeet Kaur, Advocate
for respondent No.2.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 seeking quashing of FIR No.449 dated 26.06.2023, registered for offences under Sections 148, 149, 323, 324 and 506 of the Indian Penal Code, 1860, at Police Station Indri, Karnal, District Karnal, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of the compromise deed dated 28.07.2023, Annexure P-2, arrived at between the parties.

2. Pursuant to order dated 21.08.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“Statements of the parties i.e., complainant Kala son of Balla, resident of Village Rajepur, Tehsil Indri, District Karnal and accused namely Sachin @ Sachiv son of Sama Singh @ Samay Singh, resident of Village Kalri Khalsa (Kalri Nanhara), Tehsil & District Karnal were recorded.

Statements of both the parties reveal that they have amicably settled the matter, voluntarily and without any pressure or coercion. Compromise seems to be genuine and voluntarily in nature.

Investigating Officer, ASI Anoop Singh, Belt No.1236/KNL, P.S. Indri has appeared before the court and suffered a statement that none of the accused is proclaimed person nor (sic there is) any other accused in the present case. No other criminal case is found against the accused Sachin @ Sachiv besides the present FIR.

As per the FIR Kala son of Balla is the complainant/victim in the present case. Present FIR is registered against accused Sachin @ Sachiv and Sarvjeet @ Golu. The present case is at the stage of investigation.”

3. Counsel representing respondent No.2 does not have any objection in case the compromise is given effect to.
4. Although, State counsel does not have any instructions, but the stage of the proceedings is reflected from the statement of the Investigating Officer recorded by the Area Magistrate, which has been reproduced above.
5. Heard counsel for the parties.
6. Dispute has been amicably resolved amongst the parties with the intervention of the respectables by virtue of compromise, Annexure P-2.
7. 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***

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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.449 dated 26.06.2023, registered for offences under Sections 148, 149, 323, 324 and 506 of the Indian Penal Code, 1860, at Police Station Indri, Karnal, District Karnal, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

31.10.2023 (SUVIR SEHGAL)
Kamal JUDGE

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