

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-42589-2023 (O&M)
Date of decision: 25.09.2023

BALKAR GIR AND ANR.Petitioners

Versus

STATE OF HARYANA AND OTHERSRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Sunil Kumar Goswami, Advocate for the petitioners.

Mr. Vishal Malik, Deputy Advocate General, Haryana.

Mr. Kamaldeep Redhu, Advocate for respondent
No.3/complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 14.08.2023 (Annexure P-7) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
471	28.08.2019	120-B, 406, 420, 506 of IPC and Sections 10 and 24 of Immigration Act.	Pehowa, District Kurukshetra.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed/affidavit dated 14.08.2023 (Annexure P-7), which is duly signed by them. The matter was referred to the Court below for recording

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of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. A copy of Receipt of costs of Rs. 8,000/- has been placed on record in compliance of the order dated 04.09.2023.

3. Sub Divisional Judicial Magistrate, Pehowa, vide report dated 20.09.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

4. Learned State counsel does not dispute the aforesaid facts and submits that respondent-State has no objection if the FIR is quashed.

5. Respondent No. 3 is represented by his counsel and does not oppose the compromise.

6. In view of the report of the Sub Divisional Judicial Magistrate, Pehowa, and in view of the decision of the Hon'ble Supreme Court in "**Gian Singh Vs. State of Punjab and another**", 2012(4) RCR (Criminal) 543 and "**Narinder Singh and Others Vs. State of Punjab and Another**", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

7. In the circumstances, the present petition is allowed. FIR No. 471 dated 28.08.2019, under 120-B, 406, 420, 506 of IPC and Sections 10 and 24 of Immigration Act, registered at Police Station Pehowa, District Kurukshetra (Annexure P-1) and all consequential proceedings arising

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therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

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

(SANJIV BERRY)
JUDGE

25.09.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |