

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

(Sr. No. 246)

CRM-M No. 45928 of 2022

Date of decision : 07.02.2023

Dubeer Singh @ Dubeer Dalal and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Abhishek Goyal, Advocate for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Abhimanyu Kalsy, Advocate for respondents No.2 to 10.

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DEEPAK SIBAL, J. (Oral)

Learned State counsel submits that at the time of filing of the report under Section 173 Cr.P.C. the State also seeks to prosecute the petitioners under Section 325 IPC.

In the light of the above, Section 325 IPC is directed to be added in the head-note and prayer clause of the petition. Registry to make the necessary changes.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 587 dated 06.11.2021 registered under Sections 147, 149, 323 and 506 IPC and Section 3 (2VA) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Section 325 IPC added later on) at Police Station Sector 58, District Faridabad and all proceedings arising therefrom qua the petitioners, on the basis of a written compromise (Annexure P-2).

On 18.10.2022, this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the

veracity of the compromise between the parties as also to apprise this Court whether P.O. proceedings are pending against any of the accused.

As directed, report dated 07.11.2022 from the Judicial Magistrate First Class, Faridabad has been received, as per which the parties had recorded their statements before the trial court in terms of the compromise arrived at between them and that no proclamation proceedings are pending against the petitioners.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, in which the offences are not heinous and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in ***Narinder Singh & Ors. Vs. State of Punjab & Anr. (2014) 6 SCC 466***, this Court deems it just and proper to allow the petition and resultantly quash FIR No. 587 dated 06.11.2021 registered under Sections 147, 149, 323 and 506 IPC and Section 3 (2VA) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Section 325 IPC added later on) at Police Station 58, District Faridabad and all proceedings arising therefrom qua the petitioners.

07.02.2023

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No