

**CRM-M-45786-2022 (O&M)**

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

(123+285)

**CRM-M-45786-2022 (O&M)**  
Date of Decision:-**February 08, 2023**

Rampal Arya

.....Petitioner

Versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**

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Present: Mr. Mandeep Singh Kundu, Advocate for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Ishan Singh Cooner, Advocate for respondent No. 2.

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**ALOK JAIN, J. (Oral)**

**CRM-4328-2023**

Prayer in this application is for placing on record the order of  
Learned SDJM, Gohana dated 01.12.2022, as Annexure P-4.

Application is allowed as prayed for, subject to all just  
exceptions. Annexure P-4 is taken on record.

**CRM-M-45786-2022**

The instant petition has been filed under Section 482 Cr.P.C.  
seeking quashing of FIR No. 130 dated 30.03.2021, registered under  
Sections 354, 354-A and 506 of Indian Penal Code at Police Station  
Barauda, District Sonapat (Annexure P-1) and all consequential  
proceedings arising therefrom, on the basis of compromise dated  
20.09.2022 (Annexure P-2).

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Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 30.09.2022 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 02.12.2022 has been received from the Sub Divisional Judicial Magistrate, Gohana, District Sonapat, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

Learned State Counsel and learned counsel appearing on behalf of respondent No. 2 admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal prosecution in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh v. State of Punjab and another* 2012(10) SCC 303 and *Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 406 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

Consequently, this petition is allowed. FIR No. 130 dated 30.03.2021, registered under Sections 354, 354-A and 506 of Indian Penal Code at Police Station Barauda, District Sonapat (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed *qua* the

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petitioner, subject to payment of cost of Rs. 5,000/- to be deposited by the petitioner and Rs. 5,000/- to be deposited by respondent No. 2 within two months from today in the following account:-

**Account Name – Punjab and Haryana High Court Bar Association Lawyer’s Family Welfare Fund.**

**Account No. - 41564846387**

**Bank Name – SBI High Court Branch.**

**(ALOK JAIN)**  
**JUDGE**

**February 08, 2023**  
Parul

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|-----------------------------|--------|
| Whether speaking/reasoned:- | Yes/No |
| Whether Reportable:-        | Yes/No |