

CRM-M-47278-2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(315)

CRM-M-47278-2022

Date of Decision:- 31.10.2023

Rahul Dixit

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sanyam Khetarpal, Advocate
for the petitioner.

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

Mr. Sahil Goyal, 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.0895 dated 12.11.2016, registered for offences under Sections 323, 34 and 506, IPC, however, later on Section 325, IPC was added, at Police Station Sector-8, District Faridabad, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of the compromise dated 15.09.2022, Annexure P-2, arrived at between the parties.

2. Pursuant to order dated 24.08.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“1.	<i>The number of accused arraigned in the FIR and how many have appeared before it and have made statements and whether any accused is absconding/P.O. in the case;</i>	<i>As per the statement of IO, there are three accused named in the FIR namely Rahul Dixit, Naeem Khan and Devender @ Lala. Only accused namely Rahul is facing trial and two accused namely Naeem Khan and Devender @ Lala have been declared proclaimed absconder.</i>
2.	<i>The name of the complainant and injured/aggrieved and whether all of them have appeared and made their statements in support of the compromise;</i>	<i>Name of complainant is Dheeraj who has come present before the court. As per the statement of IO, there is no other aggrieved/injured than the complainant.</i>
3.	<i>The stage of trial/proceedings;</i>	<i>Prosecution evidence.</i>
4.	<i>If the compromise is genuine, voluntary and out of free will of the parties.</i>	<i>Parties were explained qua the genuineness and voluntariness of the compromise to which they replied in affirmative. The compromise between the parties is prima facie genuine.</i>
5.	<i>Whether any other criminal case is pending against the accused.</i>	<i>As per the statement of IO, no other FIR is registered against the accused Rahul.”</i>

3. Counsel representing respondent No.2 does not have any objection in case the compromise is given effect to.
4. Heard counsel for the parties.
5. Dispute has been amicably resolved amongst the parties with the intervention of the respectables by virtue of compromise, Annexure P-2.
6. 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 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.

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7. Accordingly, the petition is allowed. FIR No.0895 dated 12.11.2016, registered for offences under Sections 323, 34 and 506, IPC, however, later on Section 325, IPC was added, at Police Station Sector-8, District Faridabad, 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