

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

300

CRM-M-46050-2023 (O&M)
Date of decision: 12.12.2023

KRISHAN

....Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Amit Khari, Advocate for the petitioner.

Mr. Vishal Malik, DAG Haryana.

Mr. Nikhil Vats, Advocate for respondent No.2.

SANJIV BERRY. J. (Oral)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 08.09.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
762	16.08.2023	323, 452, 506 and 34 IPC	Samalkha, District Panipat

2. Learned State counsel has apprised that respondent No.2/complainant of the case has given a statement before the Investigating Officer to the effect that he does not want to proceed against the unknown persons and with this, only the petitioner is the accused nominated in the FIR. A short reply dated 06.12.2023 to this effect has also been filed in the form of affidavit of Assistant Superintendent of Police, Samalkha, District Panipat.

CRM-M-46050-2023 (O&M)

3. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 08.09.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate First Class, Samalkha vide report dated 13.10.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.
4. Respondent No.2 is represented by his counsel and does not oppose the compromise.
5. In view of the aforesaid report of the Judicial Magistrate First Class, Samalkha 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.
6. In the circumstances, the present petition is allowed. FIR No.762 dated 16.08.2023 under Sections 323, 452, 506 and 34 of IPC registered at Police Station Samalkha, District Panipat (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

(SANJIV BERRY)
JUDGE

12.12.2023

S.Sharma(syr)

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/ No