

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46240-2023
DECIDED ON: 06.11.2023

AABHAR GILHOTRA
STATE OF HARYANA AND ANOTHER

.....PETITIONER
VERSUS
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY.

Present: Mr. Satyam Khichi, Advocate for
Mr. P.K. Ganga, Advocate
for the petitioner.

Mr. Surinder Singh, Asst. AG, Haryana.

Mr. Gurdeep Kaur, 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 04.09.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
259	15.03.2023	279, 337 and 427 IPC and Section 338 IPC(added later on)	Civil Line Sirsa District Sirsa

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 04.09.2023 (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 learned Chief Judicial Magistrate, Sirsa vide report dated 05.10.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No.2 is represented by his counsel and does not oppose the compromise.

4. In view of the aforesaid report of the learned Chief Judicial Magistrate, Sirsa 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.

5. In the circumstances, the present petition is allowed. FIR No.259 dated 15.03.2023, under Sections 279, 337 and 427 of IPC and Section 338 of IPC (added later on) registered at Police Station Civil Line Sirsa, District Sirsa (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

06.11.2023

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(SANJIV BERRY)
JUDGE

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