

2023:PHHC:147306
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49383-2023 (O&M)
Date of Decision:20.11.2023

Naresh Kumar and Anr.

...Petitioners

vs.

State of Haryana and Anr.

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Hitesh Verma, Advocate
for the petitioners.

Mr. Gaurav Gurcharan Singh Rai, DAG, Haryana.

Mr. B.S Jatana, Advocate for
Ms. Amarinder Kaur, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 270 dated 19.09.2023 under Sections 147,149,323,427,452 of IPC and Sections 3(2) (va) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act,1989 registered at Police Station Siwani District Bhiwani (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 23.09.2023 (Annexure P-2).

2. Vide order dated 04.10.2023, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise/affidavit dated 23.09.2023 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the

SDJM, Siwani and got their statements recorded. Report dated 12.10.2023 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioners.

6. Resultantly, FIR No. 270 dated 19.09.2023 under Sections 147,149,323,427,452 of IPC and Sections 3(2) (va) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act,1989 registered at Police Station Siwani District Bhiwani (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

7. Pending applications, if any, stands disposed off.

(N.S.SHEKHAWAT)
JUDGE

20.11.2023
hitesh

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