

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

CRM-M-49684-2023
DATE OF DECISION:-19.12.2023

Sanjeev and others

...Petitioners.

vs.

State of Haryana and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Arun Chander Sharma, Advocate,
for the petitioners.

Mr. Viney Phogat, DAG, Haryana.

Mr. Himanshu Choudhary, Advocate for
Mr. Ajit Singh, Advocate
for respondents No.2 and 3.

HARKESH MANUJA, J.

1. By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.497 dated 25.05.2023, under Sections 148, 149, 323, 427 and 506 of IPC, registered at Police Station Karnal Sadar, District Karnal (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 22.09.2023 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners along with other persons attacked respondents No.2 and 3 with iron rods and sticks while they were sleeping at their home, as a result of which, they received injuries.

Though, as per allegations, 17 persons were involved in the

incident, however, names of 12 persons have already been removed by the police during investigation, having found innocent.

3. In pursuance to order dated 03.10.2023 passed by this Court, whereby the parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 10.11.2023 has been received from the concerned court, stating that the compromise is genuine, voluntary and without any coercion or undue influence. The petitioners-accused have not been declared as proclaimed offender.

4. Once, the compromise has been arrived at between the parties without any pressure and respondents No.2 and 3 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the Trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab***

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& Anr., 2012(4) RCR (Crl.) 543.

6. Further, learned counsel for the petitioners, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in **Jayrajsingh Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589** and this Court in **Joginder Singh & another Vs. State of Punjab and another**, passed in CRM-M-23739- 2010 decided on 27.04.2011, **Rajinder Singh Vs. State of Punjab & another**, passed in CRM-M- 37395-2016 decided on 16.05.2017 and **Vimal Kalra & others Vs. State of Punjab & another**, passed in CRMM-20355-2022, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

7. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.497 dated 25.05.2023, under Sections 148, 149, 323, 427 and 506 of IPC, registered at Police Station Karnal Sadar, District Karnal (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

8. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited by the petitioners with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

19.12.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No