

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-52155-2023
Date of decision: 14.11.2023

Anil BhaduPetitioner.

Versus

State of Haryana and anotherRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. J.S. Thind, Advocate,
for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

Mr. Balsher Singh, Advocate,
for respondent No. 2.

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SANJIV BERRY, J. (ORAL)

Reply dated 13.11.2023, filed in the form of affidavit of Deputy Superintendent of Police, Ellenabad, District Sirsa, on behalf of respondent No. 1, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Instant petition has been preferred seeking quashing of the FIR (Annexure P-1), and all other subsequent proceedings arising therefrom on the basis of compromise dated 27.09.2023 (Annexure P-2) and affidavit given by respondent No. 2 dated 08.09.2023 (Annexure P-3) between the parties. Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
382	02.09.2023	Sections 323, 34, 365,(379-B-deleted lateron), 506 IPC Sections 25 and 27 of the Arms Act	P.S. Ellenabad, District Sirsa

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3. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 27.09.2023 (Annexure P-2) and affidavit dated 08.09.2023 (Annexure P-3), 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.

4. Learned Sub Divisional Judicial Magistrate Ellenabad, vide report dated 10.11.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. It is further reported that in compliance to the order dated 13.10.2023, cost of Rs. 10,000/- has also been deposited by the petitioner.

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

6. In view of the aforesaid report of learned Sub Divisional Judicial Magistrate Ellenabad, 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 petitioner/ accused person.

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7. In the circumstances, the present petition is allowed. FIR No. 382 dated 02.09.2023 under Sections 323, 34, 365, (379-B-deleted lateron), 506 IPC and Sections 25 and 27 of the Arms Act, registered at P.S. Ellenabad, District Sirsa (Annedure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of aforesaid compromise/affidavit qua the present petitioner.

14.11.2023
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |