

CRM-M-50331-2023

2023:PHHC:162721
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**264 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-50331-2023
DATE OF DECISION:-18.12.2023

Lakhan @ Lakhu and others

...Petitioners

vs.

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gagandeep Sanwal, Advocate,
for the petitioners.

Mr. Viney Phogat, DAG, Haryana.

Mr. Mannu Sheokand, Advocate for
Mr. Ajay Punia, Advocate,
for respondent No.2-complainant.

HARKESH MANUJA, J. (Oral)

1. By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.227, dated 23.05.2018, under Sections 148, 149, 323, 342, 427, 435 and 506 IPC, registered at Police Station Rai, Sonipat (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 29.09.2023 (Annexure P-2).

2. As per allegations levelled in the FIR, the petitioners inflicted injuries upon the complainant with their respective weapons and threatened to kill him, besides it, they also set fire to the animal shed outside his house.

3. In pursuance of order dated 06.10.2023 passed by this Court, whereby parties were directed to appear before the Trial Court for getting

CRM-M-50331-2023

their statements recorded as regards the veracity of compromise arrived at between them, a report dated 07.11.2023 has been received from the concerned Court, stating that the statements of the parties are bona fide and are not result of any threat, duress or coercion in any manner and compromise effected between the parties is genuine, voluntarily and without any coercion or undue influence and is valid one.

4. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 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 & Anr., 2012(4) RCR (Crl.) 543.***

6. 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, FIR No.227, dated 23.05.2018, under Sections 148, 149, 323, 342, 427, 435 and 506 IPC, registered at Police Station Rai, Sonipat as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.5,000/- to be deposited by the petitioners with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, within a period of two weeks from the date of receipt of certified copy of this order.

18.12.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No

whether reportable: Yes/No