

257-2

2023:PHHC:137750
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55849-2022
Date of Decision:20.10.2023

Tanuj and Others

...Petitioners

vs.

State of Haryana and Others.

...Respondents

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

Present : Mr. Abhinav Kalia, Advocate
for the petitioners.

Mr. Dhruv Sihag, AAG, Haryana.

Mr. Naney Vashishtha, Advocate,
for respondents No.2 and 3.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 976 dated 27.10.2022 under Sections 148,149,307,323 506 of IPC registered at Police Station Karnal City, Karnal (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. Vide order dated 07.12.2022 while issuing notice of motion, a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the CJM, Karnal and got their statements recorded. Report dated 12.04.2023 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. Learned State counsel submits that in the present case 307 IPC has not been made out and the offence under Section 307 IPC has been ordered to be deleted.

5. Reply by way of an affidavit of Deputy Superintendent of Police, City, Karnal has been filed on behalf of respondent State and the same is taken on record.

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

6. 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.

7. Resultantly, FIR No. 976 dated 27.10.2022 under Sections 148,149,307,323 506 of IPC registered at Police Station Karnal City, Karnal (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

20.10.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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