

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-58663-2022

Date of decision: 15.05.2023

Shamsher @ Shamsher Singh

....Petitioner.

Versus

State of Haryana and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Aanand Kumar Maurya, Advocate, for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

Ms. Kamaldeep Kaur, Advocate, for respondent No. 2.

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SANJIV BERRY, J.

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 358 dated 25.11.2017, under Sections 323, 325 and 452 IPC, registered at Police Station Hansi Sadar, District Hansi, and all consequential proceedings arising therefrom on the basis of compromise dated 07.12.2022 (Annexure P-3) executed between the parties.

[2]. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 07.12.2022 (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. The Additional Sessions Judge-cum-Judge, Special Court for Heinous Crime against Women, Hisar, vide report dated 12.01.2023, has apprised this Court that the compromise arrived at

between the parties is genuine and without any pressure. It is specifically mentioned in the aforesaid report that out of the two injured (namely Sunita and Savitri Devi), Savitri Devi-victim, has since expired on 09.11.2022 and her death certificate is also placed on record.

[3]. Respondent No. 2 is represented by her counsel and does not oppose the compromise.

[4]. In view of the report of the Additional Sessions Judge-cum-Judge, Special Court, for Henious Crime against Women, Hisar, 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 herself compromised the dispute with the petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. FIR No. 358 dated 25.11.2017, under Sections 323, 325 and 452 IPC, registered at Police Station Hansi Sadar, District Hansi, and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

(SANJIV BERRY)
JUDGE

15.05.2023
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i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No