

CRM-M-59455-2022

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

CRM-M-59455-2022

Date of Decision: January 13, 2023

JAGAT PAL AND OTHERS

..... Petitioners

Versus

STATE OF HARYANA AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Deepak Kumar, Advocate for petitioners.

Mr. Vijesh Sharma, AAG, Haryana.

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 482 Cr.P.C. the petitioners pray for quashing FIR No.0148, dated 28.03.2017 (Annexure P-1), under Sections 148, 149, 323, 341, 506 IPC and Section 325 IPC subsequently added, registered at Police Station Sadar Fatehabad, District Fatehabad along with all consequential proceedings arising out of the same on the basis of the compromise dated 15.12.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners stopped the complainant, who was on a motorcycle and gave injuries with their respective weapons.

3. In pursuance to an Order dated 19.12.2022, this Court directed the parties to appear before Illaqa magistrate/trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, report dated 09.01.2023 has been

received from the concerned Court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or undue influence. There is no other accused except the present petitioners and there is one complainant namely, Mahender Singh. No accused has been declared as proclaimed offender.

4.. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences has 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 report, accompanied by statements of both the parties as well as keeping in mind the law laid

down in the aforementioned judgments, the FIR No. 0148, dated 28.03.2017 (Annexure P-1), under Sections 148, 149, 323, 341, 506 IPC and Section 325 IPC subsequently added, registered at Police Station Sadar Fatehabad, District Fatehabad along with all consequential proceedings arising therefrom, are hereby quashed.

7. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.20,000/- by the petitioners within a period of two weeks from today in the following account:-

Account name: Punjab and Haryana high court
Association Lawyer’s Welfare Fund
Account No: 41564846387
Bank Name: S.B.I. High Court Branch.

13.01.2023
tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No