

CRM-M-59663-2022
Date of decision: 18.10.2023.

....Petitioners.

State of Haryana and another

...Respondents.

Present:- Mr. Chand Ram Olla, Advocate,
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

Mr. Ashok Kumar Sharma, Advocate and
Mr. Harsh Jain, Advocate,
for respondent No. 2.

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SANJIV BERRY, J. (ORAL)

Instant petition has been preferred by the petitioners seeking quashing of the FIR (Annexure P-1) on the basis of compromise dated 14.12.2022 (Annexure P-2), supported with the affidavit dated 17.12.2022 (Annexure P-3) of respondent No. 2. Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
0330	30.11.2020	Sections 308, 323, 34, 379 B IPC (later on deleted Sections 308, 379 B IPC and Sections 307, 325 IPC added)	P.S. Krishana Gate, Thanasar, Kurukshetra, District Kurukshetra

[2] It is, *inter alia*, contended by learned counsel for the petitioner that, as regards Section 307 IPC is concerned, no injury sustained in the occurrence has been declared to be dangerous to life.

[3] Learned counsel appearing on behalf of complainant/respondent No. 2 as also learned State counsel have categorically and fairly admitted that the injury sustained in this case, attracting the provisions of Section 326 IPC, happens to be is on the finger of the complainant and there is no injury declared dangerous to life.

[4] Learned counsel for the petitioners further contends that during the pendency of the proceedings, with the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise dated 14.12.2022 (Annexure P-2) supported with the affidavit dated 17.12.2022 (Annexure P-3), which is duly signed by them.

[5] 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.

[6] Learned Judicial Magistrate Ist Class, Kurukshetra, vide report dated 25.01.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

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

[8] In view of the aforesaid report of learned Judicial Magistrate Ist Class, Kurukshetra, 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/respondent No. 2 has himself compromised the dispute with the petitioners/ accused persons.

[9] In the circumstances, the present petition is allowed. FIR No. 0330 dated 30.11.2020, under Sections 308, 323, 34, 379 B IPC, later on deleted 308 and 379B IPC and added Sections 307 and 325 IPC, (Annexure P-1), is hereby quashed on the basis of compromise dated 14.12.2022 (Annexure P-2), supported with the affidavit dated 17.12.2022 (Annexure P-3), qua the present petitioners.

(SANJIV BERRY)
JUDGE

18.10.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |