

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

**CRM-M-59402-2023
DECIDED ON: 12.12.2023**

VILSAN MASIH AND OTHERS

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY.

Present: Mr. D.P.S. Bajwa, Advocate
for the petitioners.

Mr. Vishal Malik, DAG, Haryana.

Mr. Mohit, Advocate
for respondent No.2.

SANJIV BERRY, J (ORAL)

1. Reply dated 08.12.2023, filed in the form of affidavit of Deputy Superintendent of Police, HQ, Fatehabad, District Fatehabad, on behalf of respondent No.1, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 16.11.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
0606	11.11.2022	406 IPC (Final Report under Section 173 Cr.P.C. under the offences under Sections 407, 120-B IPC)	City Fatehabad, District Fatehabad, Haryana

3. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 16.11.2023 (Annexure P-2), 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 learned Chief Judicial Magistrate, Fatehabad vide report dated 04.12.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. It is also reported that in compliance to the order dated 24.11.2023, cost of Rs.06,000/- has been deposited by the petitioners.

4. Respondent No.2 is represented by his counsel and does not oppose the compromise.

5. In view of the aforesaid report of the learned Chief Judicial Magistrate, Fatehabad 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 himself compromised the dispute with the petitioners/ accused persons.

6. In the circumstances, the present petition is allowed. FIR No.0606 dated 11.11.2022, under Section 406 IPC (Final Report under Section 173 Cr.P.C. under the offences under Sections 407, 120-B IPC) registered at Police Station City Fatehabad, District Fatehabad, Haryana (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

12.12.2023

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(SANJIV BERRY)
JUDGE

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