

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

CRM-M-54991-2019

Date of Decision: 14.02.2023

RAHUL AND ANR

.... Petitioners

VERSUS

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Lajpat Rai Sharma, Advocate for
Mr. Vivek Khatri, Advocate
for the petitioners.

Mr. R.S. Nain, DAG, Haryana.

Mr. Naveen Kumar, Advocate for
Mr. Dharampal, Advocate
for respondent No.2.

GURBIR SINGH, J (ORAL)

This is a petition under Section 482 Cr.P.C. for quashing of FIR No.157, dated 19.04.2019, under Sections 323, 506 IPC and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015), registered at Police Station Azadnagar, Hisar, District Hisar and all subsequent proceedings arising therefrom, on the basis of compromise dated 12.12.2019 effected between the parties.

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report from the Additional Sessions Judge, Hisar has been received through the District &

CRM-M-54991-2019

-2-

Sessions Judge, Hisar, with statements of the parties, in which, it has been mentioned that the compromise is genuine and valid and outcome of free consent of the parties and is without coercion from any quarter.

The powers under Section 482 Cr.P.C. can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in “Kulwinder Singh and others vs. State of Punjab and another”, 2007(3) RCR (Criminal) 1052 and “Gian Singh vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the Additional Sessions Judge, Hisar accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.157, dated 19.04.2019, under Sections 323, 506 IPC and 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment 2015), registered at Police Station Azadnagar, Hisar, District Hisar and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 12.12.2019, qua the petitioners only.

14.02.2023
pchawla/raman

(GURBIR SINGH)
JUDGE

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