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

CRM-M-639-2022 (O&M)
Date of decision: 18.03.2024

Ankit and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sumit Sangwan, Advocate for the petitioners.

Mr. Viney Phogat, DAG, Haryana.

Mr. Vikrant Rana, Advocate for respondents No.2 and 3.

KARAMJIT SINGH, J. (ORAL)

1. Prayer in this petition is for quashing of FIR No.279 dated 30.09.2021 registered under Sections 120B, 148, 149, 307, 323, 506 of IPC at Police Station Dadri Sadar, District Charkhi Dadri on the basis of compromise (Annexure P-2).

2. The above stated FIR was registered on the statement of the complainant/respondents No.2 and 3

3. On notice of motion, respondents No.2 and 3 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

4. During the course of preliminary hearing, the trial Court/Illaqa Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

5. In compliance thereof, report from the Court of Additional Sessions Judge, Charkhi Dadri along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

6. I have heard learned counsel for the parties.

7. The counsel for the petitioners submits that petitioner No.6 Toni son of Rajesh is already acquitted by the Court of Principal Magistrate, Juvenile Justice Board, while petitioners No.3 and 5 are found to be innocent by the police. Counsel appearing on behalf of respondents No.2 and 3 has not refuted the aforesaid assertions made by counsel for petitioners No.1, 2 and 4.

8. Learned counsel for the petitioners and for respondent No.2 and 3 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted qua petitioners No.1, 2 and 4. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

9. In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

10. For the reasons aforestated and having regard to the law laid

down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.279 dated 30.09.2021 and all the subsequent proceedings are hereby quashed qua the petitioners No.1, 2 and 4 namely Ankit son of Ombir, Amit @ Nagar son of Kamal Singh and Rohit Kumar @ Rahul @ Star son of Vijay Pal only.

11. Pending application, if any, stands disposed of.

18.03.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No