



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

287

CRM-M-861-2024

Date of decision: May 14th, 2024

Balbir Singh and others

.....Petitioners

Versus

The State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Govind Chauhan, Advocate
for the petitioners.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

Mr. Anil Bidhan, Advocate
for respondents No.2 to 6.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition is for quashing of FIR No.162 dated 31.10.2015 under Sections 148, 149, 323, 341 and 506 of the Indian Penal Code, 1860 (Section 325 of the IPC added late on) registered at Police Station Alewa, District Jind, along with all subsequent proceedings including the judgment of conviction and order of sentence dated 01.03.2023 and 03.03.2023 respectively, on the basis of compromise dated 09.11.2023 (Annexure P-3) arrived at, between the parties.

2. Learned counsel for the petitioners submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioners in above mentioned case FIR. In support of his submissions, he has placed reliance upon judgment of this Court in

Sube Singh and another Vs. State of Haryana and another: 2013(4) RCR (Criminal) 102 and Hon'ble the Supreme Court in *Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021: LL 2021 SC 589*, wherein it has been held that the powers of the Court under Section 482 of the Cr.P.C. can be invoked to quash a complaint/FIR on the basis of a voluntary compromise even at the post conviction stage.

3. Vide order dated 09.01.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Judicial Magistrate Ist Class, Jind, in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the private respondents have also made statement to the effect that they would have no objection if the FIR *qua* the accused-petitioners is quashed.

5. The learned JMIC, Jind, has annexed the statements of the parties in original, along with its report.

6. Learned State counsel too submits that there are no other accused other than the petitioners and the private respondents are the only aggrieved persons in the FIR in question.

7. In view of the report of the learned Judicial Magistrate 1st Class, Jind, and the principles laid down by the Apex Court in

Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021: LL 2021 SC 589 and this Court in *Sube Singh and another Vs. State of Haryana and another: 2013(4) RCR (Criminal) 102*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising therefrom including judgment of conviction and order of sentence dated 01.03.2023/03.03.2023, are quashed qua the petitioners.

8. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

May 14th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No