

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-3566-2024
Date of decision:27.02.2024

Vinod Kumar and others **...Petitioner(s)**

Versus

State of Haryana and another **...Respondent(s)**

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Manu Sachdeva, Advocate for the petitioners.
Mr. Viney Phogat, DAG, Haryana.
Mr. Parveen Kumar, Advocate for
Mr. Rahul Noorie, Advocate for respondent No. 2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No. 545 dated 04.09.2023 registered under Sections 147, 148, 323, 506 of Indian Penal Code, 1860 and Section 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Sadar, Bhiwani, District Bhiwani (Haryana) (Annexure P-1) and consequential proceedings arising therefrom on the basis of compromise dated 16.01.2024 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2.

On notice of motion, learned counsel for respondent No. 2 appeared in the Court and pleaded that respondent No. 2 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.

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

In compliance thereof, report from the Court of Additional Sessions Judge, Bhiwani 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.

I have heard learned counsel for the parties.

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

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.

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. 545 dated 04.09.2023 under Sections 147, 148, 323, 506 of Indian Penal Code, 1860 and Section 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 at Police Station Sadar, Bhiwani, District Bhiwani (Haryana) (Annexure P-1) and consequential proceedings arising therefrom are hereby quashed qua the petitioners.

KARAMJIT SINGH
(JUDGE)

27.02.2024
Divyanshi

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No