

137 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

DATE OF DECISION:-26.04.2024

1. CRM-M-6716-2024

Subhash Chand @ Subhash and others ...Petitioners..
vs.
State of Haryana and another ...Respondents..

2. CRM-M-11207-2024

Subhash Chand @ Subhash and other ...Petitioners..
vs.
State of Punjab and others ...Respondents.

3. CRM-M-8783-2024

Manoj Kumar and othersPetitioners...
vs.
State of Haryana and othersRespondents...

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sarvjit Singh Khurana, Advocate,
for the petitioners (in CRM-M Nos.6716 and 11207-2024) and
for respondents No.2 and 3 (in CRM-M-8783-2024).

Mr. Chetan Sharma, DAG, Haryana.

Ms. Jitender Kaur, Advocate,
for the petitioners (in CRM-M-8783-2024) and
for respondents No.2 to 10 (in CRM-M-11207-2024),

Mr. Bhagwan Singh, Advocate,
for respondent No.2 (in CRM-M-6716-2024).

HARKESH MANUJA, J. (Oral)

1. This common judgment of mine shall dispose of three petitions bearing CRM-M-6716-2024, CRM-M-11207-2024 and CRM-M-8783-2024.
2. CRM-M-6716 of 2024 has been filed for quashing of FIR No.69, dated 24.03.2023, under Sections 323, 34, 379-B and 506 IPC (Section 379-B IPC deleted and Section 325 & 307 IPC added later on), Police Station Rampura, District Rewari (Annexure P-1) along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-3).
3. CRM-M-11207 of 2024 has been filed for quashing of FIR No.80 dated 23.03.2023, under Sections 323, 149, 147 & 506 IPC, Police Station Rewari City, District Rewari (Annexure P-1) along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexures P-3 & P-4).
4. CRM-M-8783-2024 has been filed for quashing of FIR No.106 dated 06.04.2023, registered under Sections 147, 149, 323, 379-B & 506 IPC (Section 379-B IPC deleted later on), at Police Station Rewari City, District Rewari (Annexure P-1) and all the subsequent proceedings therefrom on the basis of compromise (Annexure P-3)
5. Present is a version and cross-version case, in which, both the parties inflicted injuries to each other.
6. On 09.02.2024, this Court passed the following order in main case bearing CRM-M-6716-2024:-

*“Contends that matter has been compromised between
the parties i.e. petitioners and respondent No.2.*

Notice of motion.

On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana accepts notice on behalf of respondent-State and seeks time to file short affidavit in the matter. Learned State counsel shall also take instructions in the matter about the factum of compromise and to inform respondent No.2 through SHO concerned regarding pendency of the present petition.

Let respondent No.2 be present in the Court for assistance in the matter.

Posted for 16.02.2024.”

6.1 In compliance of aforesaid order, respondent No.2-Yogi Jyoti Nath Maharaj appears in person and informs this Court that the matter has been compromised between the parties.

7. Once, the compromise has been arrived at between the parties without any pressure and respondent(s) having no objection as regards quashing of aforementioned FIRs as well as all other subsequent proceedings arising out of the same against the petitioner(s); there does not appear to be any impediment as regards quashing of present FIR qua the petitioner(s). Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

8. The parties, who are residents of same village, having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the Trial Court to invest further time and effort in adjudicating the aforementioned three FIRs. The compromise

in question is even found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

9. Moreover, learned counsel for the parties on instructions from their clients, submit that both the parties (except Yogi Jyoti Nath Maharaj) volunteer to serve public cause by providing the medical equipment to Civil Hospital, Rewari.

10. Thus, in view of the aforesaid facts, accompanied by compromise executed by both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the abovementioned three petitions are allowed, FIR No.69, dated 24.03.2023, under Sections 323, 34, 379-B and 506 IPC (Section 379-B IPC deleted and Section 325 & 307 IPC added later on), FIR No.80 dated 23.03.2023, under Sections 323, 149, 147 & 506 IPC and FIR No.106 dated 06.04.2023, registered under Sections 147, 149, 323, 379-B & 506 IPC (Section 379-B IPC deleted later on), at Police Station Rewari City, District Rewari, are hereby quashed qua the petitioner(s).

11. However, aforesaid order shall be subject to providing equipment as mentioned below to the Civil Hospital, Rewari, within a period of three weeks from today as volunteered by both the parties (except Yogi Jyoti Nath Maharaj) against due receipt issued by the concerned Civil Surgeon, who shall prepare an inventory in this regard for its regular inspection by the Director concerned. A copy of the receipt shall also be sent to the office of Advocate General, Haryana at the earliest for maintaining records in this regard.

Sr. No.	Name of Equipment	Qty
1	Dr. Abbott, Arcatron Wheel Chair (Folding) 100 kg	20
2	Dr. Abbott Classic Stretcher with mattress	03

26.04.2024
sonika

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No