

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-7639-2024 (O&M)
Date of Decision:- 25.04.2024

Ankush and others ... Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pradeep Chhoker, Advocate, for the petitioners.
Mr. Ramender Singh Chauhan, AAG, Haryana.
Mr. Baljeet Nain, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioners-Ankush, Rohit Kumar Saini and Sonu have approached this Court seeking quashing of FIR No.173, dated 22.05.2023, Police Station Quilla, Panipat, District Panipat, under Sections 323, 34 and 506 IPC (Section 308 IPC added later on), and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. The allegations, in nutshell are that the petitioners had inflicted a blow on the head of the complainant with the help of a brick.

3. It is not disputed that petitioner No.1-Ankush and respondent No.2-Ujjwal are real brothers.
4. Vide order dated 13.02.2024, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.
5. Report of learned Additional District and Sessions Judge (Fast Track Court), Panipat, has been received, wherein it has been reported that the statement of petitioners/accused Ankush, Rohit Kumar Saini, Sonu and complainant Ujjwal have been recorded to the effect that they have compromised the matter amongst themselves.
6. Complainant Ujjwal in his statement had stated that he has no objection in case the FIR in question is quashed.
7. The learned Additional District and Sessions Judge (Fast Track Court), Panipat, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
8. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, and while also bearing in mind the compromise will go a long way in bringing some harmonious relations between two brothers i.e. petitioner No.1 and respondent No.2, it will be in the fitness of things that the petition be accepted. The petition, as such, is allowed and FIR No.173, dated 22.05.2023, Police Station Quilla, Panipat, District Panipat, under Sections 323, 34 and 506 IPC (Section 308 IPC added later on) and

all subsequent proceedings emanating therefrom are hereby quashed
qua the petitioners.

25.04.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No