

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(222)

CRM-M-6990-2024
Date of Decision:- 22.03.2024

Deepak Sharma and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Tarun Sharma, Advocate
 for the petitioners.

Mr. Birjesh Sharma, AAG, Haryana.

Mr. Manvender Chauhan, Advocate
for respondent No.2.

ALOK JAIN, J. (Oral)

1. Prayer in this petition is for quashing of the **FIR No.0386** dated **24.12.2023**, under Sections **295-A and 34** of Indian Penal Code, 1860, registered at **Police Station City Pehowa, Kurukshetra, District Kurukshetra**, and all other subsequent proceedings arising therefrom on the basis of the compromise dated **31.01.2024 (Annexure P-2)**.
2. Keeping in view the fact that the parties entered into a compromise, this Court vide order dated **26.02.2024** directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated **11.03.2024** has been received from the **Judicial Magistrate First Class, Pehowa**, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.
3. Learned State counsel and learned counsel appearing on behalf of respondent No.2 admit the factum of compromise and submit that they

have no objection to quashing of the FIR on that basis.

4. Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal proceedings in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh v. State of Punjab and another* 2012(10) SCC 303 and *Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 406 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

5. Consequently, this petition is allowed. **FIR No.0386 dated 24.12.2023, under Sections 295-A and 34** of Indian Penal Code, 1860, **registered at Police Station City Pehowa, Kurukshetra, District Kurukshetra**, and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners, subject to payment of cost of Rs.10,000/- each to be deposited by the petitioners and Rs.5,000/- to be deposited by respondent No.2 within one month from today in Poor Patients Welfare Fund, PGIMER, Chandigarh.

(ALOK JAIN)

JUDGE

March 22, 2024

Monika

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No