

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

377

CRM-M-7790-2024 (O&M)
Date of decision: 12.03.2024

SAMAR SINGH @ BITTU

....Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Anil Kumar Chauhan and Mr. Vicky Chauhan, Advocates
for the petitioner(s).

Mr. Dhruv Sihag, AAG Haryana.

Mr. Virush Dahiya, Advocate for respondent No.2.

SANJIV BERRY. J. (Oral)

1. Reply dated 05.03.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Head Quarter, Panipat, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Heard.
3. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 20.12.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
238	10.12.2022	323 and 506 IPC	Raipur Rani, District Panchkula

4. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated

CRM-M-7790-2024 (O&M)

20.12.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate First Class, Panchkula vide report dated 28.02.2024 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

5. Respondent No. 2 is represented by his counsel and does not oppose the compromise.

6. In view of the aforesaid report of the learned Judicial Magistrate First Class, Panchkula and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

7. In the circumstances, the present petition is allowed. FIR No.238 dated 10.12.2022 under Sections 323 and 506 of IPC registered at Police Station Raipur Rani, District Panchkula (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

(SANJIV BERRY)
JUDGE

12.03.2024
S.Sharma(syr)

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/ No*