



290 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12958-2024

DATE OF DECISION:-09.05.2024

Vishal Rana and another

...Petitioners..

vs.

State of Haryana and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Tejveer Singh Gaba, Advocate for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Ashish Pundir, Advocate for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., petitioners pray for quashing of FIR No.243 dated 20.10.2023, registered under Sections 148, 149, 323, 452 and 506 IPC, at Police Station Panjokhra, District Ambala (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 06.11.2023 (Annexure P-2).

2. As per the allegations, petitioners along with their other accomplices inflicted injuries to the complainant with their respective weapons.

As per FIR, total 05 persons were named in the FIR, however, only the present petitioners have approached this Court by way of present petition.

3. In pursuance of order dated 14.03.2024 passed by this Court,

whereby parties were directed to appear before the Trial Court for getting

their statements recorded as regards the veracity of compromise arrived at between them, report dated 25.04.2024 has been received from the concerned Court, stating that the parties have compromised the matter in dispute voluntarily, without any pressure, coercion or undue influence from any corner and the compromise is genuine and is result of free will of the parties and is not in any way result of any fraud or misrepresentation. No accused has been declared as proclaimed person.

4. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. 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.

5. The parties 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 this FIR. 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.***

6. Further, learned counsel for the petitioners, while placing reliance

upon the judgments passed by the Hon'ble Supreme Court in ***Jayrajsingh Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589*** and this Court in ***Joginder Singh & another Vs. State of Punjab and another***, passed in CRM-M-23739- 2010 decided on 27.04.2011, ***Rajinder Singh Vs. State of Punjab & another***, passed in CRM-M- 37395-2016 decided on 16.05.2017 and ***Vimal Kalra & others Vs. State of Punjab & another***, passed in CRMM-20355-2022, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

7. Moreover, learned counsel for the petitioners on instructions from his clients, submit that they volunteer to deposit a cost of Rs.5000/- with the Nishkam Sewa Group (For Charitable Work) run by Punjab & Haryana High Court Lawyers at Chandigarh.

8. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.243 dated 20.10.2023, registered under Sections 148, 149, 323, 452 and 506 IPC, at Police Station Panjokhra, District Ambala as well as all subsequent proceedings arising therefrom are hereby quashed qua the present petitioners only.

9. Accordingly, petition stands allowed subject to payment of costs of Rs.5,000/- to be deposited by the petitioners with the Nishkam Sewa Group (For Charitable Work) run by Punjab & Haryana High Court Lawyers at Chandigarh, within a period of two weeks from today from the date of receipt of certified copy of this order.

09.05.2024

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(HARKESH MANUJA)
JUDGE

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