

CRM-M-11916-2024

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2024:PHHC:059334

**277 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-11916-2024

DATE OF DECISION:-30.04.2024

Harsh @ Anshu Kamboj and others

...Petitioners..

vs.

State of Haryana and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. R.K. Agnihotri, Advocate,
for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Ramesh Sharma, Advocate for
Mr. Nitin Sharma, Advocate,
for respondents No.2 and 3.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., petitioners pray for quashing of FIR No.1016 dated 28.12.2023, registered under Sections 148, 149, 323 and 506 IPC, at Police Station Indri, District Karnal (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 31.01.2024 (Annexure P-2).

2. As per the allegations, the petitioners along with their accomplices after having entered into school of the complainant's son, gave beatings and abused him by saying Chura/jalad etc. besides snatching the silver chain and Rs.500/-.

Though, 06 persons were named in the FIR, however, only 03 accused i.e. present petitioners approached this Court by way of present

petition.

3. In pursuance of order dated 07.03.2024 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 20.03.2024 has been received from the concerned Court, stating that complainant-Anita, injured-Harsh Gori and accused, namely, Harsh @ Anshu Kamboj, Ankit Khan and Aryan have amicably settled the matter, voluntarily and without any pressure or coercion. Compromise seems to be genuine and voluntarily in nature. No accused has been declared as proclaimed person.

4. Once, the compromise has been arrived at between the parties without any pressure and respondents No.2 & 3 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, who are young boys aged about 20 to 22 years and are not involved in any other case. 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 serve public cause by providing one wheel chair to Civil Hospital, Indri, District Karnal.

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.1016 dated 28.12.2023, registered under Sections 148, 149, 323 and 506 IPC, at Police Station Indri, District Karnal as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioners only.

9. Accordingly, petition stands allowed, however, subject to providing one Dr. Abbott, Arcatron Wheel Chair (Folding) 100 kg to the Civil Hospital, Indri, District Karnal, within a period of two weeks from today as volunteered by the petitioners 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.

30.04.2024

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(HARKESH MANUJA)
JUDGE

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