



291 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13031-2024

DATE OF DECISION:-09.05.2024

Sawan @ Sawan Kumar and others

...Petitioners..

vs.

State of Haryana and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Chetan Kapoor, Advocate,
for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Barjinder Singh, Advocate,
for respondents No.2 to 5.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.835, dated 02.11.2023, registered under Sections 323, 506, 148, 149 IPC (Section 307 added later on) (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of statement/compromise dated 28.02.2024 (Annexure P-2).

2. As per the allegation levelled in the FIR, the petitioners inflicted injuries to respondents No.2 to 5 with their respective weapons i.e. Gandasi and lath.

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 27.03.2024 has been received from the concerned Court, stating that compromise is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender.

4. Once, the compromise has been arrived at between the parties without any pressure and respondents No.2 to 5 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. Furthermore, the parties are students, who are studying in the same institution and in order to maintain peace, better future 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. Moreover, learned counsel for the petitioners on instructions from his clients, submit that they volunteer to serve public cause by providing four (04) beds and two (02) chairs to Govt. Hospital, Assandh, District

Karnal

7. 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.835, dated 02.11.2023, registered under Sections 323, 506, 148, 149 IPC (Section 307 added later on) (Annexure P-1) as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

8. Accordingly, petition stands allowed, however, subject to providing four (04) beds and two (02) chairs to the Govt. Hospital, Assandh, 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.

09.05.2024

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(HARKESH MANUJA)
JUDGE

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