



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

CRM-M-13015-2024
Date of decision:23.05.2024

SUSHIL KUMAR AND ANOTHER

...Petitioners

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Sanchit Choudhary, Advocate for the petitioners.

Mr. Viney Phogat, DAG, Haryana.

Mr. Rajesh Kumar Sawariya, Advocate for
Mr. Pankaj Mehta, Advocate for respondent No.2.

KARAMJIT SINGH, J. (Oral)

1. Prayer in this petition is for quashing of FIR No.630 dated 21.10.2022 registered under Sections 147, 149, 323, 452, 506 of IPC as also final report under Section 173 Cr.P.C. submitted for the offence under Sections 323, 34, 506 of IPC at Police Station Hisar Civil Lines, District Hisar on the basis of compromise.
2. Status report by way of an affidavit of Satya Pal, HPS, Deputy Superintendent of Police, Detective, Hisar filed on behalf of Respondent No.1-state is taken on record.
3. The above stated FIR was registered on the statement of the respondent No.2-Ashwani Rao against the petitioners.
4. On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this



case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

5. During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

6. In compliance thereof, report from the Court of Judicial Magistrate First Class, Hisar along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

7. I have heard learned counsel for the parties.

8. Learned counsel for the petitioners and for respondent No.2 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

9. In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

10. For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.630 dated

21.10.2022 registered under Sections 147, 149, 323, 452, 506 of IPC
asalso final report under Section 173 Cr.P.C. submitted for the offence
under Sections 323, 34, 506 of IPC at Police Station Hisar Civil Lines,
District Hisar and all the subsequent proceedings are hereby quashed qua
the petitioners.

23.05.2024

Priyanka Thakur

(KARAMJIT SINGH)

JUDGE

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