

279 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

DATE OF DECISION:-01.05.2024

1. CRM-M-14009-2024

Sunder Lal @ Sunder Aggarwal ...Petitioner..

vs.

State of Haryana and another ...Respondents..

2. CRM-M-14115-2024

Mahender Aggarwal ...Petitioner.

vs.

State of Haryana and another ...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Sanchit Punia, Advocate
for the petitioner (in CRM-M-14009-2024) and
for respondent No.2 (in CRM-M-14115-2024).

Mr. Gurmeet Singh, AAG, Haryana.

Ms. Annu Yadav, Advocate,
for the petitioner (in CRM-M-14115-2024) and
for respondent No.2 (in CRM-M-14009-2024)

HARKESH MANUJA, J. (Oral)

1. This common judgment of mine shall dispose of two petitions
bearing CRM-M-14009-2024 and CRM-M-14115-2024.

2. CRM-M-14009 of 2024 has been filed for quashing of FIR
No.191 dated 28.04.2023, registered under Sections 420, 467, 468 and
120-B IPC, at Police Station Hisar Civil Lines, District Hisar along with all

subsequent proceedings arising therefrom, on the basis of compromise deed dated 02.03.2024 (Annexure P-2).

3. CRM-M-14115 of 2024 has been filed for quashing of FIR No.319 dated 15.06.2023, registered under Sections 420, 467, 468 and 471 IPC, at Police Station Hisar Civil Lines, District Hisar (Annexure P-1) along with all subsequent proceedings arising therefrom, on the basis of compromise deed dated 02.03.2024 (Annexure P-2).

4. Present is a version and cross-version case and the dispute relates between the real brothers.

5. In pursuance of separate orders dated 18.03.2024 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, separate reports dated 12.04.2024 have been received from the concerned Court, stating that the compromise arrived at between the parties appears to be voluntary, without any pressure and out of free will of the parties. No accused has been declared as proclaimed person.

6. Once, the compromise has been arrived at between the parties without any pressure and respondent(s) having no objection as regards quashing of aforementioned FIRs along with all other subsequent proceedings arising out of the same against the petitioner(s); there does not appear to be any impediment as regards quashing of present FIR qua the petitioner(s). 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

FIRs on the basis of compromise entered into between the parties.

7. The parties, who are real brothers, 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 the aforementioned FIRs. 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.***

8. Moreover, learned counsel for the petitioner(s) on instructions from their clients, submit that petitioner(s) (including petitioner in CRM-M-14115-2024) volunteer to serve public cause by providing one Blue Star Water Cooler with Filter 80 litres to Civil Hospital, Hisar.

9. Thus, in view of the aforesaid facts, accompanied by statement of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the abovementioned two petitions are allowed, FIR No.191 dated 28.04.2023, registered under Sections 420, 467, 468 and 120-B IPC, at Police Station Hisar Civil Lines, District Hisar and FIR No.319 dated 15.06.2023, registered under Sections 420, 467, 468 and 471 IPC, at Police Station Hisar Civil Lines, District Hisar, are hereby quashed qua the petitioner(s) in both the petitions.

10. However, aforesaid order shall be subject to providing one Blue Star Water Cooler with Filter 80 litres to Civil Hospital, Hisar, within a period of two weeks from today as volunteered by the petitioners (including

and another connected cases

petitioners in CRM-M-14115-2024) 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