

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

318

CRM-M-14340-2024 (O&M)
Date of decision: 29.04.2024

GULSHAN AND OTHERS

....Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Shakti Mehta, Advocate for the petitioner(s).

Mr. Dhruv Sihag, AAG Haryana.

Mr. S.K. Sharma, Advocate for respondent Nos.2 and 3.

SANJIV BERRY. J. (Oral)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 12.03.2024 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
328	26.08.2021	147, 149, 323, 506 IPC; (325 IPC added later on)	Pataudi, Gurugram, Haryana

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 12.03.2024 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate First Class, Pataudi vide report dated 22.04.2024 has apprised this Court that the compromise arrived at between the parties is genuine and

CRM-M-14340-2024 (O&M)

without any pressure. The petitioners have also deposited the cost of Rs.10,000/- in compliance to the order dated 20.03.2024.

3. Respondent Nos. 2 and 3 are represented by their counsel and do not oppose the compromise.

4. In view of the aforesaid report of the Judicial Magistrate First Class, Pataudi and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

5. In the circumstances, the present petition is allowed. FIR No.328 dated 26.08.2021 under Sections 147, 149, 323, 506 IPC (325 IPC added later on) of IPC registered at Police Station Pataudi, Gurugram, Haryana (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

29.04.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No