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

CRM-M-21098-2024(O&M)

Date of Decision: 16.09.2024

Raj Kumar

...Petitioner

vs.

State of Haryana and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Jitender Malik, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

Mr. Rajat Verma, Advocate
for respondent No.2 and 3.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.710 dated 13.09.2023 registered under Sections 285, 307 of IPC and Section 27 of Arms Act, 1959, at Police Station Azad Nagar, District Hisar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.04.2024 (Annexure P-2).

2. Learned counsel for the petitioner submits that the petitioner and respondent No.3 are husband and wife and now both of them are living happily in a matrimonial home. He further submits that even though a fire-arm was used in the present occurrence, but all the injuries suffered by respondent No.3 are simple in nature. Apart from that, learned counsel for the petitioner has also placed reliance on the law laid down by the Hon'ble Supreme Court in the matter of "Yogendra Yadav and others Vs. State of Jharkhand and another";



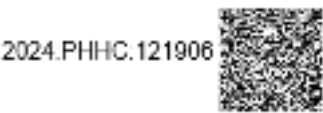
2014(9) SCC 653 as well as “Ram Prasad and another Vs. State of Uttar Pradesh”; 1982(2) SCC 149, to contend that the disputes are entirely personal in nature between husband and wife. Consequently, the powers under Section 482 Cr.P.C. may be exercised to quash the FIR on the basis of the compromise.

3. Vide order dated 29.04.2024, a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 12.04.2024 (Annexure P-2).

4. Pursuant to aforesaid order, the parties have appeared before the Additional Sessions Judge-cum-Judge, Special Court for Heinous Crime Against Women, Hisar and got their statements recorded. Report dated 07.05.2024 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

5. I have heard counsel for the parties and gone through the case file.

6. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.



7. Resultantly, FIR No.710 dated 13.09.2023 registered under Sections 285, 307 of IPC and Section 27 of Arms Act, 1959, at Police Station Azad Nagar, District Hisar (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 12.04.2024 (Annexure P-2) are hereby quashed qua the petitioner.

8. Pending application(s) stand(s) disposed of.

16.09.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No