



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-20334-2024 (O&M)
Date of decision: 16.07.2024

SUMIT KUMAR

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

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

Mr. Pawan Kumar Jhanda, DAG, Haryana.

Mr. Gautam Kumar, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN , J.

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.10 dated 17.01.2023, under Sections 354, 354-A, 376, 506, 511 IPC registered at Police Station Rajaund, District Kaithal (Annexure P-1) (Sections 376, 506, 511 IPC were deleted and challan was filed only under Sections 354, 354-A IPC), on the basis of *panchayati* compromise dated 14.04.2024 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR was registered at the instance of respondent No.2 due to a misunderstanding between the parties. He further contends that the matter has been settled between



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the petitioner and respondent No.2 and *panchayati* compromise dated 14.04.2024 (Annexure P-2) has been executed between them. The matter stands settled between the parties, as such respondent No.2 does not want to take any action in the present FIR.

[3] Status report by way of an affidavit of Amit Kumar, HPS, Deputy Superintendent of Police, Kaithal along with statement of victim under Section 164 Cr.P.C. (Annexure R-1), MLR of the victim (Annexure R-2) and disclosure statement of the petitioner (Annexure R-3) have been filed on behalf of the respondent-State, which are taken on record.

[4] Learned counsel for respondent No.2 has confirmed the factum of compromise between the parties.

[5] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[6] On 25.04.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[7] As per the report dated 20.05.2024 received from Judicial Magistrate 1st Class, Kaithal forwarded through the office of District and Sessions Judge, Kaithal, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as proclaimed offender.

[8] Keeping in view the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh**



and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[9] Consequently, this petition is allowed and FIR No.10 dated 17.01.2023, under Sections 354, 354-A, 376, 506, 511 IPC registered at Police Station Rajaund, District Kaithal (Annexure P-1) (Sections 376, 506, 511 IPC were deleted and challan was filed only under Sections 354, 354-A IPC) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[10] However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise (Annexure P-2) are violated.

[11] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

16.07.2024
P.Bhatt

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