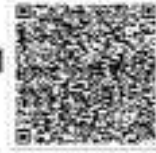


2024.PHHC.093511



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

CRM-M-22275-2024

Date of Decision: 24.07.2024

Rohit and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Mohak Arora, Advocate for
Mr. Manish Soni, Advocate
for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. Dharamvir Sharma, Advocate
for respondent No.2.

GURBIR SINGH, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.344 dated 22.11.2023 under Sections 323/34/506 of IPC, 1860, registered at Police Station Sector-9A, District Gurugram (Annexure P-1) and all subsequent on the basis of compromise/affidavit dated 30.04.2024 (Annexure P-2).

2. Status report dated 18.07.2024 by way of affidavit of Mr. Naveen Sharma, HPS, Assistant Commissioner of Police, Old Gurugram has been filed on behalf of the respondent-State, which is taken on record. Copy has been supplied to the counsel for the petitioners.

3. This Court, vide order dated 06.05.2024 had directed the parties to appear before the trial Court/Duty Magistrate to get their statements recorded

and the learned Magistrate was directed to send the report qua the genuineness of the compromise.

4. In compliance thereof, report dated 29.05.2024 from learned Judicial Magistrate Ist Class, Gurugram has been received through the Ld. District & Sessions Judge, Gurugram with statements of the parties, in which, it has been mentioned that the compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence.

5. Learned counsel appearing on behalf of respondent No.2-complainant has not disputed the factum of compromise.

6. Learned State counsel submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR.

7. I have heard learned counsel for the parties and have gone through the record.

8. In a decision, based on compromise, none of the parties is a loser. Rather, a compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

9. Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and FIR No.344 dated 22.11.2023 under Sections

323/34/506 of IPC, 1860, registered at Police Station Sector-9A, District Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/affidavit dated 30.04.2024 (Annexure P-2).

24.07.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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