

CRM-M-23660-2023; CRM-M-29594-2023 and
CRM-M-29799-2023

1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

289 (3 cases)

CRM-M-23660-2023

Date of Decision:-14.03.2024

Sahil and Ors.

.....Petitioners

Versus

State of Haryana and Anr.

.....Respondents

CRM-M-29594-2023

Pankaj

.....Petitioner

Versus

State of Haryana and Anr.

.....Respondents

CRM-M-29799-2023

Vishal

.....Petitioner

Versus

State of Haryana and Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Suresh Kumar Kaushik, Advocate
for the petitioners in CRM-M-23660-2023.

Mr. Nonish Kumar, Advocate and
Mr. Yamin, Advocate
for the petitioner in CRM-M-29594-2023.

Mr. Sumit S. Bairagi, Advocate
for the petitioner in CRM-M-29799-2023.

Mr. Anmol Malik, DAG, Haryana.

Mr. Aman Gautam, Advocate for
Mr. Rahul Gautam, Advocate for
respondents No.2 in CRM-M-23660-2023.

Mr. Himanshu, Advocate
for respondent No.2 in CRM-M-29594-2023 and
CRM-M-29799-2023. .

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C.

seeking quashing of FIR No.489 dated 11.07.2022, under Sections 148,

**CRM-M-23660-2023; CRM-M-29594-2023 and
CRM-M-29799-2023**

2

149, 308, 324, 201 and 120-B of IPC, registered at Police Station **Civil Lines Karnal, District Karnal** and subsequent proceeding arising therefrom on the basis of compromise dated 02.05.2023 in CRM-M-23660-2023, compromise dated 30.05.2023 in CRM-M-29594-2023 and compromise dated 23.05.2023 in CRM-M-29799-2023, respectively.

2. Learned counsel for the petitioners, at the outset, has submitted that there are 10 accused in the present FIR, out of which one Raman was discharged and as regards other 07 co-accused **CRM-M-23660-2023** has been filed and for remaining two co-accused **CRM-M-29594-2023** and **CRM-M-29799-2023** have been filed.

3. Keeping in view the fact that the parties entered into a settlement, vide orders dated **10.05.2023** and **31.01.2024** passed in these petitions, the parties were directed to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a reports dated **31.05.2023** and **06.03.2024** received in **CRM-M-23660-2023, CRM-M-29594-2023** and **CRM-M-29799-2023**, from **Additional District & Sessions Judge, Karnal** and **Chief Judicial Magistrate, Karnal, respectively**, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

4. Learned State counsel and learned counsel appearing on behalf of respondent No.2 admit the factum of compromise and submit that they have no objection in quashing of the FIR on that basis.

5. Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal proceedings in such a situation will be an exercise in futility, as the chances of conviction

CRM-M-23660-2023; CRM-M-29594-2023 and
CRM-M-29799-2023

are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh v. State of Punjab and another* 2012(10) SCC 303 and *Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 406 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved the disputes among themselves in a *bona fide* manner.

6. Consequently, this petition is allowed. **FIR No.489** dated **11.07.2022**, under Sections **148, 149, 308, 324,201 and 120-B of IPC**, registered at Police Station **Civil Lines Karnal, District Karnal** and subsequent proceeding arising therefrom, are hereby quashed qua the petitioners subject to total costs of **Rs.50,000/-** to be paid by the petitioners in **CRM-M-23660-2023, CRM-M-29594-2023 and CRM-M-29799-202**, respectively and **Rs.20,000/-** to be paid by respondent No.2 (**CRM-M-23660-2023, CRM-M-29594-2023 and CRM-M-29799-2023**, respectively within a period of **two weeks** from today in the account of the **Poor Patient's Welfare Fund, PGIMER, Chandigarh.**

7. A photocopy of this order be placed on the file of other connected cases.

(ALOK JAIN)
JUDGE

14.03.2024
manju

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No