

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-13287-2023

Date of decision:14.02.2024

Sunny Manchanda

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. J.S.Ahlawat, Advocate for the petitioner.

Mr. Viney Phogat, DAG, Haryana.

Mr. Kamal Kumar Mor, Advocate
for the complainant.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No. 1090 dated 23.11.2021 registered under Sections 148, 149, 323, 325, 341, 379-B, 506 and 201 IPC at Police Station Sadar District Karnal (Annexure P-1) qua the petitioner on the basis of compromise dated 16.03.2022 (Annexure P-2) arising out between the parties.

The above stated FIR was registered on the statement of the complainant/respondent No.2.

On notice of motion, learned counsel for respondents No. 2 and 3 appeared in the Court and pleaded that respondents No. 2 and 3 have no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Additional Sessions Judge, Karnal along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the petitioner(s) and for respondent No.2 and 3 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in *Gian Singh v. State of Punjab and another, 2012 (4) RCR (Criminal) 543* and Five Judges Bench of this Court in *Kulwinder Singh and others v. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this petition is allowed and FIR No. 1090 dated 23.11.2021 (Annexure P-1) and all the subsequent proceedings are hereby quashed qua the petitioner.

KARAMJIT SINGH
(JUDGE)

14.02.2024
Divyanshi

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No