

2024:PHHC:092273



270.

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

CRM-M-29205-2022

Date of decision: 22.07.2024

Naresh @ Sunny @ Naresh Kumar and others

.... Petitioners

Versus

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Rajat Singh, Advocate for
Mr. Keshav Pratap Singh, Advocate, for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana, for respondent No.1.

Ms. Meghna Nehra, Advocate and
Ms. Tanya Kanwer, Advocate, for
Mr. Deep Inder Singh Walia, Advocate, for respondent No.2.

None for respondents No.3 and 4.

GURBIR SINGH, J. (Oral)

1. Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.318, dated 02.05.2022, under Sections 342, 379-A, 420 and 506 of IPC and Section 25 of Arms Act, registered at Police Station Krishana Gate Thanesar, District Kurukshetra (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 09.05.2024 (Annexure P-2).

2. This Court, vide order dated 13.12.2022, had directed the parties to appear before the Illaqa Magistrate/trial Court to get their

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

3. In compliance thereof, report dated 12.07.2023 from learned Judicial Magistrate Ist Class, Karnal, has been received through the District & Sessions Judge, Karnal, 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.

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

5. Learned State counsel has though opposed the quashing petition, but does not dispute the factum of compromise effected between the parties.

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

7. 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.

8. 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.318, dated 02.05.2022, under Sections 342, 379-A, 420 and 506 of IPC and Section 25 of Arms Act, registered at Police Station Krishana Gate Thanesar, District Kurukshetra (Annexure P-1) and all subsequent proceedings arising therefrom qua the petitioners on the basis of compromise dated 09.05.2024 (Annexure P-2).

(GURBIR SINGH)
JUDGE

July 22, 2024
sanjeev

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