

CRM-M-30968-2024 (O&M)

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

CRM-M-30968-2024 (O&M)
Date of decision: 14.10.2024

Dhanwant Singh and another
...Petitioner(s)
Versus
State of Haryana and another
...Respondent(s)

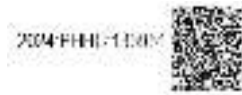
CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. S.S.Sahu, Advocate, for the petitioner(s).
Mr. Karan Garg, AAG, Haryana.
Ms. Sunita Devi, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.157 dated 8.6.2024 registered under Sections 323, 34 IPC and Section 3(i)(s) of SC/ST Act at Police Station City Ratia, District Fatehabad on the basis of compromise.

2. The above stated FIR was registered on the statement of the complainant/respondent No.2-Angoori Bai against the petitioners.
3. On notice of motion, respondent No.2 appeared in the Court through her counsel and pleaded that she has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.
4. 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



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compromise.

5. In compliance thereof, report from the Court of Additional Civil Judge (Sr. Division)-cum-Sub Divisional Judicial Magistrate, Ratia 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.

6. I have heard learned counsel for the parties.

7. Learned counsel for the petitioners and for respondent No.2 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.

8. In **Ramawatar v. State of Madhya Pradesh** Criminal Appeal No.1393 of 2011 decided on 25.10.2021, Hon'ble Supreme Court quashed the FIR registered under Section 3(1)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, on the basis of the compromise. Hon'ble Apex court while accepting the said compromise, observed that offence in question though covered under SC/ST Act is primarily private or civil in nature or where the alleged offence has not been committed on account of caste of the victim or where continuation of legal proceedings would be an abuse of the process of law, the Court can exercise its powers to quash the proceedings.

9. In the case in hand, parties have resolved their dispute and respondent No.2 is not interested in prosecution of the FIR in question



against the petitioner. In these circumstances if the prosecution of the petitioner on the basis of FIR in question is kept pending, it will definitely amount to an abuse of the process of law.

10. 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.

11. For the reasons aforesaid 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.157 dated 8.6.2024 registered under Sections 323, 34 IPC and Section 3(i)(s) of SC/ST Act at Police Station City Ratia, District Fatehabad and all the subsequent proceedings are hereby quashed qua the petitioners.

12. Needless to mention that both the parties will abide by the terms and conditions of the compromise Annexure P-2 in letter and spirit.

(**KARAMJIT SINGH**)
JUDGE

October 14, 2024
Paritosh Kumar

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