

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34868-2024 (O&M)

Reserved on: 02.12.2024

Date of Pronouncement: 12.12.2024

Dalel Singh and others

... Petitioner(s)

Versus

State of Haryana and others

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. S.S. Grewal, Advocate
for the petitioner(s).

Mr. Rajat Gautam, Addl. A.G., Haryana

Mr. Balraj Singh Sidhu, Advocate
for respondents no.2 to 4.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
440	13.11.2016	Kundli, Sonipat	148, 149, 323, 342, 427, 452, 506 IPC

The petitioner(s), arraigned as accused in the above captioned FIR, have come up before this Court under Section **482 CrPC** for quashing of the FIR and all consequential proceedings based on the compromise with the aggrieved person(s).

2. During the pendency of the criminal proceedings, the accused and the aggrieved person(s) have compromised the matter, and its copy is annexed with this petition as Annexure P-2.

3. After that, the petitioner(s) came up before this Court to quash the FIR, impleading the aggrieved persons as respondents no.2 to 4.

4. Pursuant to order of this Court dated 23.07.2024, the aggrieved person(s) (R-2 to 4), appeared before the Judicial Magistrate Ist Class, Sonipat and stated that there would be no objection if the Court quashes this FIR and consequent proceedings. As per the concerned court's report dated 12.09.2024, the parties consented to the quashing of FIR and consequent proceedings without any threat or coercion.

ANALYSIS & REASONING:

5. Despite the severe opposition of the State's counsel to this compromise, the following aspects would be relevant to conclude this petition: -

- a) The accused and the private respondent have amicably settled the matter between them in terms of the compromise deed and the statements recorded before the concerned Court;
- b) A perusal of the documents reveal that the settlement has not been secured through coercion, threats, social boycotts, bribes, or other dubious means;
- c) The aggrieved person has willingly consented to the nullification of criminal proceedings;
- d) There is no objection from the private respondent in case present FIR and consequent proceedings are quashed;
- e) In the given facts, the occurrence does not affect public peace or tranquillity, moral turpitude or harm the social and moral fabric of the society or involve matters concerning public policy;
- f) The rejection of compromise may also lead to ill will. The pendency of trial affects career and happiness;
- g) There is nothing on the record to prima facie consider the accused as an unscrupulous, incorrigible, or professional offender;
- h) The purpose of criminal jurisprudence is reformatory in nature and to work to bring peace to family, community, and society;
- i) The exercise of the inherent power for quashing FIR and all consequential proceedings is justified to secure the ends of justice.

ANALYSIS & REASONING:

5. An analysis of the FIR reveals that there are specific allegations that the accused had also given beatings to Savita. However, the petitioners have neither arraigned her as respondent in this case nor her statements has been recorded before the trial Court/Illaq Magistrate.

6. Since all the victims did not state their no objection to the compromise and also the reasons which led to the compromise, as such this Court cannot proceed further in this matter.

7. Given above, the petition is dismissed. However, liberty is reserved to the petitioners to file a fresh petition and there would be no necessity to re-examine the

complainant-victim, other victim(s) and the accused, whose statements stand recorded.
The copies of the statements along with report would suffice.

Petition dismissed in the terms mentioned above, with liberty reserved.

(ANOOP CHITKARA)
JUDGE

December 12, 2024
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No