

Sr. No.285

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

**CRM-M-42369-2023
Date of decision: 20th March, 2024**

LAKSHMAN SINGH**Petitioner**

versus

STATE OF HARYANA AND OTHERS**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ram Bilas Gupta, Advocate
for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

Mr. Vipin Kumar Sharma, Advocate
for respondents No.2 and 3.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.490 dated 11.11.2019, under Sections 323, 34, 354, 452, 506 IPC, 1860, registered at Police Station Dabua, District Faridabad (Annexure P-1), on the basis of compromise dated 07.01.2023 (Annexure P-2) arrived at between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2 on account of some misunderstanding. However, with the intervention of the respectables, the matter has now been settled and the parties have executed compromise dated 07.01.2023 (Annexure P-2). Respondent Nos.2 and 3 do not want to pursue the FIR and they have no objection if the FIR is quashed.

[3] Mr. Vipin Kumar Sharma, Advocate has caused appearance on behalf of respondents No.2 and 3 and filed his power of attorney, which is taken on record. He has confirmed the factum of compromise between the parties.

[4] On 28.08.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 16.11.2023, received from the Judicial Magistrate, Ist Class, Faridabad, through the District & Sessions Judge, Faridabad, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as "Proclaimed Offender" and he is not involved in any other criminal case.

[6] Learned State counsel has filed status report by way of affidavit of Sh. Mahesh Kumar, HPS, Assistant Commissioner of Police, NIT, Faridabad, on behalf of respondent-State of Haryana, which is taken on record. Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Keeping in view the facts and circumstances of the case and the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.490 dated 11.11.2019, under Sections 323, 34, 354, 452, 506 IPC, 1860, registered at Police

Station Dabua, District Faridabad (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] However, the respondents No.2 and 3 as well as the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise dated 07.01.2023 (Annexure P-2) are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

20th March, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No