

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

277

CRM-M No.43701 of 2023 (O&M)
Date of Decision: 09.04.2024

PAWAN KUMAR AND ANR

.....Petitioner(s)

Vs

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Lalit Kumar Narang, Advocate
for the petitioner(s).

Mr. Gurmeet Singh, Asstt. A.G., Haryana.

Mr. Sankalp Gehlawat, Advocate for
Mr. Kushagar Goyal, Advocate
for respondent No.2

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., prayer is made for quashing of FIR No.0100 dated 25.04.2018 registered under Section 420 IPC (Section 120-B IPC added later on) at Police Station Bhiwani Civil Lines, District Bhiwani (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).
2. Notice of motion was issued on 14.02.2024 and both the parties were directed to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the validity of compromise.
3. In pursuance of the aforesaid order dated 14.02.2024 passed by this Court, whereby the parties were directed to appear before the Trial Court for

getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 27.02.2024 has been received from the concerned court, stating that compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner(s); there does not appear to be any impediment as regards quashing of present FIR qua the petitioner(s). Even otherwise, in order to maintain peace and harmony between the parties, particularly under the present circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the Trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the direction issued by the Court in **Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052** and **Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.**

6. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.0100 dated 25.04.2018 registered under

Section 420 IPC (Section 120-B IPC added later on) at Police Station Bhiwani Civil Lines, District Bhiwani at Police Station City Gurdaspur as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner(s).

7. Accordingly, petition stands allowed, however subject to payment of cost(s) of Rs.10,000/- to be deposited in the Poor Patients Welfare Fund of the PGIMER, Chandigarh, within a period of two weeks from today.

April 09, 2024

Atik

Whether speaking/reasoned

Whether reportable

(HARKESH MANUJA)

JUDGE

Yes/No

Yes/No