

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

268+125

CRM-M-45667-2023 (O&M)
Date of decision: 19.01.2024

NAVEEN SHARMA

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Surinder Gandhi, Advocate
for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Joginder Sharma, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (“Code” for short) for quashing of FIR No.77 dated 10.02.22 registered at Police Station Narnaud, Police District Hansi, Hisar under Sections 354-D, 506 of the IPC and Section 67 of the Information Technology Act, 2008 on the basis of compromise deed dated 01.09.2023 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the FIR had been got registered due to the dispute arisen out of some misunderstanding between the petitioner and respondent No.2-complainant but now, with the intervention of the respectables, the same stands settled/resolved amicably and the said compromise would promote cordial, peaceful and harmonious relations between them.

[3] Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties.

[4] As per order dated 13.09.2023 passed by the Coordinate Bench of this Court, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements and their report from the said Court was sought regarding genuineness of the compromise.

[5] As per the report dated 04.11.2023 of Court of Ms. Kumari Jyoti Judicial Magistrate 1st Class, Hansi, District Hisar, statements of petitioner and complainant-respondent No.2 have been recorded. She has submitted that the compromise is genuine and voluntary without any force or undue influence. There is only one victim/complainant and the compromise is supported by her.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others** 2007 (3) RCR (Criminal) 1052, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceeding where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

[8] Since the matter has been settled between the parties. The parties have buried the hatchet and given quietus to the matter. As such, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed and suitable to exercise jurisdiction under Section 482 of the Code.

[9] Consequently, this petition is allowed and FIR No.77 dated 10.02.22 registered at Police Station Narnaud, Police District Hansi, Hisar under Sections

354-D, 506 of the IPC and Section 67 of the Information Technology Act, 2008 and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[10] All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

19.01.2024
P.Bhatt

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