

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

267

CRM-M-46148-2023 (O&M)
Date of decision: 09.01.2024

DHARAMPAL AND ANOTHER

....Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Kapil Gupta, Advocate for
Mr. Vivek Goyal, Advocate for the petitioners.

Mr. Vishal Malik, DAG Haryana.

Ms. Shefali Bahia Goyal, Advocate for respondent Nos.2 and 3.

SANJIV BERRY. J. (Oral)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of affidavits dated 10.08.2023 and 01.08.2023 (Annexures P-2 and P-3 respectively) of the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
21	26.02.2014	323, 452, 506, 325 IPC (34 IPC deleted later on)	Dhand, District Kaithal

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise/affidavit dated 10.08.2023 and 01.08.2023 (Annexures P-2 and P-3 respectively). The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate First Class, Kaithal vide report dated 07.12.2023 has apprised this Court that the compromise arrived at between the parties is genuine and

CRM-M-46148-2023 (O&M)

without any pressure. The petitioners have also deposited the costs as per the order dated 20.09.2023. The explanation dated 21.12.2023 submitted by Judicial Magistrate First Class, Kaithal is also taken on record.

3. Respondent Nos.2 and 3 are represented by their counsel and do not oppose the compromise.

4. In view of the aforesaid report of the Judicial Magistrate First Class, Kaithal and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/accused persons.

5. In the circumstances, the present petition is allowed. FIR No.21 dated 26.02.2014 under Sections 323, 452, 506, 325, 34 IPC (34 IPC deleted later on) registered at Police Station Dhand, District Kaithal (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

09.01.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No