

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-46485-2023
Date of Decision: 16.01.2024

Bhupinder Kumar

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sunil K. Chaudhary, Advocate,
 for the petitioner.

 Mr. Rajiv Sidhu, Deputy Advocate General, Haryana
 for respondent No. 1.

 Mr. Mandeep Singh Kaler, Advocate
 for respondent No. 2.

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 482 Cr.P.C. the petitioner prays for quashing of FIR No. 0216 dated 29.06.2018 (Annexure P-1) under Sections 120-B and 420 IPC (Section 177/193 IPC added in Police Challan), registered at Police Station Ambala City, District Ambala, Haryana, alongwith all consequential proceedings arising out of the same on the basis of compromise dated 10.08.2023 (Annexure P-3).

[2] This Court while issuing notice of motion vide order dated 15.09.2023, directed the parties to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the validity of compromise.

[3] In pursuance to order dated 15.09.2023, a report dated 16.10.2023 has been received from the concerned Court, stating that the compromise is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender.

[4] 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; there does not appear to be any impediment as regards quashing of present FIR *qua* the petitioner. 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 the case(s) of ***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] Further, learned counsel for the petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in the case of ***Jayrajsingh Digvijaysinh Rana Versus State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589*** and this Court in the case(s) of ***Joginder***

Singh & another Versus State of Punjab and another, passed in *CRM-M No.23739 of 2010* decided on 27.04.2011, *Rajinder Singh Versus State of Punjab & another*, passed in *CRM-M No.37395 of 2016* decided on 16.05.2017 and *Vimal Kalra & others Versus State of Punjab & another*, passed in *CRM-M No.20355 of 2022*, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

[7] Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the afore-mentioned judgments, the FIR (supra) as well as all subsequent proceedings arising therefrom are hereby quashed *qua* the petitioner.

[8] Accordingly, petition stands **allowed**, however, subject to payment of cost(s) of Rs.5,000/- to be deposited by the petitioner with the High Court Welfare Association, Sector-1, Chandigarh, within a period of two weeks from today.

16.01.2024
monika

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No