



CRM-M-45661-2024 **1**

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

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CRM-M-45661-2024
Date of decision: November 13th, 2024

Kuldeep Singh and othersPetitioners

Versus

State of Haryana and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Madhu Bala, Advocate
for Mr. Angraze Singh Dhindsa, Advocate
for the petitioners.

Mr. Yuvraj Shandilya, Assistant Advocate General,
Haryana.

Mr. Gurinder Singh, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in the instant petition is for quashing of FIR No.123 dated 09.07.2016 under Sections 148, 149, 323 and 324 of the IPC registered at Police Station Guhla, District Kaithal, along with all consequential proceedings arising therefrom including judgment dated 11.10.2021 and order of sentence dated 12.10.2021 passed by learned SDJM, Guhla, District Kaithal, on the basis of compromise dated 30.08.2024 (Annexure P-3).

2. Learned counsel for the petitioners submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioners vide Annexure P-2. In support of his submissions, he has placed reliance upon judgment of this Court in *Sube Singh and another*

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Vs. State of Haryana and another 2013(4) RCR (Criminal) 102 and Hon'ble Supreme Court in *Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021: LL 2021 SC 589*, wherein it has been held that the powers of the Court under Section 482 of the Cr.P.C. can be invoked to quash a complaint/FIR on the basis of a voluntary compromise even at a post conviction stage.

3. Vide order dated 13.09.2024 of this Court, the parties were directed to appear before the Appellate Court on 14.10.2024 to get their statements recorded regarding the compromise arrived at, between them.

4. Report has since been received from learned Additional Sessions Judge, Kaithal, in pursuance of the direction of this Court, wherein the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and respondent No.2 has also made a statement to the effect that he would have no objection if the FIR *qua* the petitioners is quashed.

5. The learned Additional Sessions Judge, Kaithal, has annexed copies of the statements of the parties along with his report.

6. In view of the report of the learned Additional Sessions Judge, Kaithal, and the principles laid down by the Apex Court in *Criminal Appeal No.1393 of 2011 titled as 'Ramawtar Vs. State of Madhya Pradesh' decided on 25.10.2021: LL 2021 SC 589* and this



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Court in *Sube Singh and another Vs. State of Haryana and another : 2013(4) RCR (Criminal) 102*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising therefrom including judgment of conviction dated 11.10.2021 and order of sentence dated 12.10.2021 passed by leaned SDJM, Guhla, District Kaithal, are quashed.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

November 13th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No