

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

269
2024:PHHC:020401
CRM-M-48198 of 2023
Date of decision: 13.02.2024

Ajay @ Ajay Kumar and Others ...Petitioner(s)

Versus

State of Haryana and Others ...Respondent(s)

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Ankur Sheoran, Advocate
for Mr. J.P. Jangu, Advocate
for the petitioners No.2 to 4 and 7.
(petition qua petitioners No.1, 5 and 6 was dismissed as
withdrawn vide order dated 25.09.2023).

Mr. Vishal Kashyap, DAG, Haryana.

Mr. Davinder Pal Soni Joura, Advocate
for respondents No. 2 to 6.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.141 dated
13.05.2023 registered under Sections 148, 149, 379, 427, 435 of IPC
1860 and Section 25 of Arms Act, 1959 at Police Station Beri,
District Jhajjar on the basis of compromise.

The above stated FIR was registered on the statement of
the complainant/respondent No.2

On notice of motion, respondents No.2 to 6 appeared in
the Court through his counsel and pleaded that he has no objection if
the FIR in this case is quashed on the basis of the aforesaid
compromise which has been effected between the parties.

During the course of preliminary hearing, the trial Court/ Illaqa Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Chief Judicial Magistrate, Jhajjar along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the petitioner(s) and for respondent No.2 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab**

and another, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.141 dated 13.05.2023 registered under Sections 148, 149, 379, 427, 435 of IPC 1860 and Section 25 of Arms Act, 1959 at Police Station Beri, District Jhajjar and all the subsequent proceedings are hereby quashed qua the petitioners No.2,3,4 and 7 only.

February 13, 2024
Poonam Sharma

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No