



265 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-46537-2024
Date of decision:21.11.2024

JONI ALIAS ROHIT AND OTHERS

...Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Vikalp Hooda, Advocate for the petitioners.

Mr. Karan Garg, AAG, Haryana.

Mr. Rupender Hooda, Advocate and
Mr. Sumit Singh, Advocate for respondents No.2 to 4.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.430 dated 06.09.2018 registered under Sections 307, 341, 34, 506 of IPC and Section 25 of Arms Act at Police Station Beri, District Jhajjar and all the subsequent proceedings arising therefrom on the basis of compromise.

2. Status report by way of an affidavit of Anil Kumar, HPS, Assistant commissioner of Police, Beri, Distt. Jhajjar filed on behalf of respondent No.1-State is taken on record.

3. The above stated FIR was registered on the statement of the complainant/respondent No.2-Aman against the petitioners.

4. On notice of motion, respondents No.2 to 4 appeared in the Court through their counsel and pleaded that they have no objection if the



FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

5. 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.

6. 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.

7. I have heard learned counsel for the parties.

8. Learned counsel for the petitioners and for respondents No.2 to 4 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.

9. It is not disputed that petitioner No.3 at the relevant time was juvenile and he was held guilty by the Juvenile Justice Board, Jhajjar vide order dated 13.09.2022. The appeal filed against the said order is pending in the Court of Additional Sessions Judge, Jhajjar having CRA-88-2022.

10. Counsel for the parties are having no objection if FIR in question and all the proceedings arising therefrom including the aforesaid order dated 13.09.2022 passed by the Juvenile Justice Board, Jhajjar are quashed.



11. A Division Bench of this Court in **Sube Singh and another v. State of Haryana and another**, 2013(4) RCR(Criminal) 102 allowed the compromise quashing petition and quashed the FIR as well as all the subsequent proceedings thereof including judgment and order passed by the Court of Additional Chief Judicial Magistrate whereby the accused persons were convicted and sentenced to imprisonment and further held that the appeal preferred by the accused persons against the aforesaid judgment and order has been rendered infructuous.

12. Recently the Hon'ble Apex Court in Criminal Appeal No.1393 of 2011 titled as **Ramawatar v. State of Madhya Pradesh** decided on 25.10.2021 quashed all the proceedings including judgment and order of conviction and sentence passed by the trial Court against which the appeal was pending in the High Court, on the basis of the compromise effected between the parties.

13. In the case in hand, the parties have effected compromise. In view of the compromise, respondents No.2 to 4 does not want to take any further action against the petitioners. I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner. So, no fruitful purpose would be served by keeping the proceedings pending on the basis of impugned FIR including the proceedings before the Appellate Court.

14. 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.430 dated 06.09.2018 registered under Sections 307, 341, 34, 506 of IPC and Section 25 of Arms Act at Police Station Beri, District Jhajjar and order dated 13.09.2022 passed by Juvenile Justice Board, Jhajjar and all the subsequent proceedings are hereby quashed qua the present petitioners.

15. Resultantly, the appeal preferred by petitioner No.3 against order dated 13.09.2022 passed by Juvenile Justice Board, Jhajjar would be rendered infructuous.

16. The present petition stands allowed in aforesaid terms.

21.11.2024
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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