

287 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-50255-2023

DATE OF DECISION:-24.04.2024

Kushal and others

...Petitioners..

vs.

State of Haryana and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Daljeet Singh Virk, Advocate,
for the petitioners.

Mr. Gurmeet Singh, AAG, Haryana.

Mr. C.S. Jattana, Advocate,
for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.247 dated 15.09.2023, registered under Sections 147, 149, 323, 325 and 506 IPC, at Police Station Nathu Sarai Chopta, District Sirsa (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise deed dated 26.09.2023 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners inflicted injuries to the complainant with their respective weapons and also threatened to kill him in future.

3. In pursuance of order dated 05.02.2024 passed by this Court, whereby parties were directed to appear before the Trial Court for getting

their statements recorded as regards the veracity of compromise arrived at between them, report dated 19.02.2024 has been received from the concerned Court, stating that compromise is genuine, voluntarily, without any coercion or undue influence. The compromise has been effected with free will of the parties. No accused has been declared as proclaimed person.

4. Learned counsel for the parties inform this Court that Section 34 IPC was also added during the investigation.

5. 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 petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the 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.

6. 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 ***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.***

7. Moreover, learned counsel for the petitioners, on instructions

from his client, submits that they volunteer to serve public cause by providing the following medical equipment up to the cost of Rs.30,000/- to Civil Hospital, Sirsa.

8. 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 aforementioned judgments, FIR No.247 dated 15.09.2023, registered under Sections 147, 149, 323, 325, 506 IPC (Section 34 IPC added lateron), at Police Station Nathu Sarai Chopta, District Sirsa as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

9. Accordingly, petition stands allowed, however, subject to providing equipment as mentioned below to the Civil Hospital, Sirsa, within a period of two weeks from today as volunteered by the petitioners against due receipt issued by the concerned Civil Surgeon, who shall prepare an inventory in this regard for its regular inspection by the Director concerned. A copy of the receipt shall also be sent to the office of Advocate General, Haryana at the earliest for maintaining records in this regard.

Sr. No.	Name of Equipment	Qty
1	Plasma Expressor (Terumo Penpol Company)	2

24.04.2024

sonika

whether speaking/reasoned: Yes/No

whether reportable: Yes/No

(HARKESH MANUJA)

JUDGE