

CRM-M-54332-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-54332-2023

Date of decision : 03.09.2024

Vikram and Ors.

..... Petitioners

V/S

State of Haryana and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Anil Kumar Sokal, Advocate for petitioners.

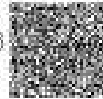
Ms. Aditi Girdhar, AAG, Haryana.

Mr. Ankit Yadav, Advocate for respondent No.2.

AMARJOT BHATTI J.

1. Petitioners – Vikram, Anirudh, Ashwani and Rajiv have filed instant second petition under Section 482 of Cr.P.C. for quashing of FIR No.138 dated 02.08.2023 (Annexure P-1), under Sections 34, 323, 452 & 506 of IPC, registered at Police Station Machhroli, District Jhajjar and all subsequent proceedings arising therefrom on the basis of compromise dated 28.08.2023 (Annexure P-2).

2. Facts of the case are that Joginder Singh complainant gave his statement that about 3-4 days ago, he had verbal fight with Vikram Singh son of his uncle with regard to the boundary wall in their agricultural field. On 01.08.2023, he along with his wife Geeta, sons Chiranjeev, Himanshu and his mother were present at home. At about 9:30, Vikram Singh, Anirudh, Ashwani and Rajiv all came to his house and Ashwani hit him with a stick whereas others gave fist blows and kicked him. On the alarm raised by him, they left the spot by giving threat to kill them. He was taken to hospital for treatment. With these allegations, present FIR has

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been registered.

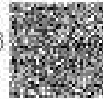
3. Petitioners filed this second petition for quashing of aforesaid FIR on the basis of compromise. First petition filed by the petitioners i.e. CRM-M-52085-2023 was withdrawn vide order dated 13.10.2023. Petitioners and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of ACJ (SD)/JMIC, Jhajjar dated 31.05.2024. Statement of respondent No.2 has been recorded, where he confirmed the compromise with petitioners. He confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and he has no objection regarding quashing of FIR.

4. Petitioners – Vikram, Anirudh, Ashwani and Rajiv also confirmed this fact in their statement. Statement of ASI Ashok Kumar is also recorded. He confirmed that the accused are not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of ACJ (SD)/JMIC, Jhajjar, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties.

6. Considering all these factors in mind, in the case in hand both parties have mutually settled their dispute. They are relatives and residents of same village. It would enable them to live in peace and harmony and end all litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

7. Therefore considering these facts, petition filed by

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petitioners is accepted and FIR No.138 dated 02.08.2023 (Annexure P-1), under Sections 34, 323, 452 & 506 of IPC, registered at Police Station Machhroli, District Jhajjar and all other subsequent proceedings arising therefrom are quashed qua petitioners.

8. Accordingly, present petition stands accepted.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

03.09.2024.*Sunil Devi*

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No