

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-55250-2023
Date of decision: 24.01.2024

VINOD KUMAR @ BINNU AND OTHERSPetitioners

Versus

STATE OF HARYANA AND ANOTHERRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Ms. Preeti Singh, Advocate for the petitioners.

Mr. Surender Singh, AAG, Haryana.

Mr. H.S. Gharoo, Advocate for respondent No.2.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 04.10.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
0485	27.09.2023	323, 34, 341, 365 and 506 IPC (Section 367 IPC was added later on)	Bhiwani City, District Bhiwani

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 04.10.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. Chief Judicial Magistrate, Bhiwani, vide

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report dated 02.12.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Learned State counsel submits that in the present case, the case is registered only against the present petitioners.

4. Respondent No. 2 is represented by his counsel and does not oppose the compromise.

5. In view of the report of the Chief Judicial Magistrate, Bhiwani, and in view of the decision of the Hon'ble Supreme Court in **“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543** and **“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466**, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/accused persons.

6. In the circumstances, the present petition is allowed. FIR No. 0485 dated 27.09.2023 under Sections 323, 34, 341, 365 and 506 of IPC (Section 367 IPC was added later on), registered at Police Station Bhiwani City, District Bhiwani (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

24.01.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |