

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

274

CRM-M-56874-2023 (O&M)
Date of decision: 09.01.2024

SUSHEEL CHANDRA SHARMA AND ORS ...Petitioners

Versus

STATE OF HARYANA AND ANOTHER ...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Arjun Dosanj, Advocate
for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Ms. Hargun Sandhu, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.384 dated 13.06.2021 registered at Police Station Suraj Kund, District Faridabad under Sections 147, 149, 323, 506 of the IPC (Section 354 IPC added later on) on the basis of compromise deed dated 20.10.2023 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the dispute was only on account of planting trees in the premises of the society. Due to misconception and misunderstanding, there was quarrel between the petitioners and respondent No.2, as such, the present FIR was registered. Later on, the parties have resolved their misunderstanding. He further contends that the parties are residing in the same locality and respondent No.2 does not want to take any action in the present FIR.

[3] Learned counsel appearing on behalf of respondent No.2 has confirmed the factum of compromise between the parties.

[4] As per order dated 09.11.2023, the parties were directed to appear before the trial Court/Illaqa Magistrate for recording of their statements and their report from the said Court was sought regarding genuineness of the compromise.

[5] As per the report dated 15.12.2023 of Court of Mr. Tayyab Hussain, Chief Judicial Magistrate, Faridabad, statements of petitioners and complainant-respondent No.2 have been recorded. He has submitted that the compromise is genuine and voluntary without any force or undue influence. There is only one victim/complainant and the compromise is supported by her.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others** 2007 (3) RCR (Criminal) 1052, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceeding where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

[8] Since the matter has been settled between the parties, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

[9] Consequently, this petition is allowed and FIR No.384 dated 13.06.2021 registered at Police Station Suraj Kund, District Faridabad under Sections 147, 149, 323, 506 of the IPC (Section 354 IPC added later on) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua

the petitioners.

[10] All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

09.01.2024
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No