

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

316

CRM-M-57453-2023 (O&M)
Date of decision: 23.01.2024

PAYAL VIJ AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Anshul Khurana, Advocate
for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. K.S. Dargan Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (“Code” for short) for quashing of FIR No.304 dated 14.06.2021 registered at Police Station Karnal Civil Lines, District Karnal under Sections 354-B, 506 read with Section 34 of the IPC on the basis of compromise dated 15.09.2023 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR had been got registered due to a dispute arisen out of some misunderstanding between the petitioners and respondent No.2-complainant but now, with the intervention of the respectables, the same stands settled/resolved amicably and the said compromise would promote cordial, peaceful and harmonious relations between them.

[3] Learned counsel appearing on behalf of respondent No.2 has

confirmed the factum of compromise between the parties.

[4] As per order dated 16.11.2023 passed by this Court, the parties were directed to appear before the trial Court/Illaq 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 22.12.2023 of Court of Mr. Ravi, Judicial Magistrate 1st Class, Karnal, 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. No accused has been declared as Proclaimed Offender in this case. 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 of the Code 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] As per the FIR, both the complainant and accused are residents of same area i.e. Karnal Civil Lines, Karnal. As per the contents of the FIR, parties are related to each other. They want to end their dispute and they have entered into a compromise, which is with their free consent. Since the matter has been settled between the parties. The parties have buried the hatchet and given quietus to the matter. As such, this Court feels that in order to secure the ends of justice, the

criminal proceedings deserve to be quashed and it would be suitable to exercise jurisdiction under Section 482 of the Code.

[9] Consequently, this petition is allowed and FIR No.304 dated 14.06.2021 registered at Police Station Karnal Civil Lines, District Karnal under Sections 354-B, 506 read with Section 34 of the IPC 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

23.01.2024
P.Bhatt

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