

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 60193 of 2023 (O&M)
Date of Decision: 30.01.2024

Jaswinder Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Anand Singh, Advocate,
for the petitioner.

Mr. Gurmeet Singh, Assistant Advocate General, Haryana
for respondent No. 1.

Mr. Umesh Kumar Kanwar, Advocate
for respondent Nos. 2 & 3.

HARKESH MANUJA, J. (ORAL)

CRM-50241-2023

Application is **allowed**, as prayed for, subject to all just exceptions. Exemption from filing the certified copies of Annexures P-1, P-3 to P-8 is granted.

MAIN CASE

The petitioner, by way of present petition filed under Section 482 Cr.P.C., seeks quashing of FIR No. 172 dated 04.05.2017 (Annexure P-1) under Sections 148, 149, 323, 34 & 506 of IPC, registered at Police Station Butana, District Karnal, alongwith all consequential proceedings arising out of the same, including order dated 12.11.2018 (Annexure P-3) and order dated 17.12.2018 (Annexure P-5), whereby the petitioner was declared Proclaimed Person, on the basis of compromise dated 19.10.2023

(Annexure P-2).

[2] This Court while issuing notice of motion vide order dated 01.12.2023, directed the parties to appear before the Trial Court/Illaqa Magistrate for recording their statements with regard to the validity of compromise.

[3] In pursuance of above order dated 01.12.2023, a report dated 20.12.2023 has been received from the concerned Court, stating that the compromise is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender.

[4] Once, the compromise has been arrived at between the parties without any pressure and respondent Nos.2 & 3 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; there does not appear to be any impediment as regards quashing of present FIR *qua* the petitioner. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the present 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.

[5] 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 the case(s) of ***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.

[6] Further, learned counsel for the petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in the case of *Jayrajsingh Digvijaysinh Rana Versus State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589* and this Court in the case(s) of *Joginder Singh & another Versus State of Punjab and another*, passed in *CRM-M No.23739 of 2010* decided on 27.04.2011, *Rajinder Singh Versus State of Punjab & another*, passed in *CRM-M No.37395 of 2016* decided on 16.05.2017 and *Vimal Kalra & others Versus State of Punjab & another*, passed in *CRM-M No.20355 of 2022*, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

[7] 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, the FIR (supra) as well as all subsequent proceedings arising therefrom are hereby quashed *qua* the petitioner.

[8] Accordingly, petition stands **allowed**, however, subject to payment of cost(s) of Rs.10,000/- to be deposited by the petitioner in the Poor Patients' Welfare Fund, PGIMER, Chandigarh, within a period of two weeks from today.

January 30, 2024

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**(HARKESH MANUJA)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>