

207-3**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-60534-2023

Date of decision: 30.01.2024

Himanshu and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. D.S. Matya, Advocate for the petitioners.

Mr. Neeraj Sheoran, DAG, Haryana.

Mr. Tarun Chawla, Advocate for
Mr. Navneet Singh, Advocate
for respondents No.2 & 3.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioners seeking quashing of FIR No.184 dated 31.08.2023, under Sections 148, 149, 323, 325, 506, 307, 294 of IPC and Section 30 of Arms Act, at Police Station Gurgaon City, District Gurugram, on the basis of compromise dated 20.11.2023 (Annexure P-2).

2. The above stated FIR was registered on the statement of the complainant/respondent Nos.2 & 3

3. On notice of motion, respondent Nos.2 & 3 appeared in the Court through their counsel and pleaded no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

4. During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

5. In compliance thereof, report from the Court of Additional District and Sessions Judge, Gurugram along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

6. I have heard learned counsel for the parties.

7. Learned counsel for the petitioner(s) and for respondent Nos.2 & 3 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

8. In view of above, nothing remains to be adjudicated further in the present case. Admittedly, no fire arm injury was caused to anyone at the time of occurrence. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

9. For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.184 dated 31.08.2023 and all the subsequent proceedings are hereby quashed qua the petitioners.

30.01.2024

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**