



Sr. No.275(02)

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-60723-2023 (O&M)

Date of decision: 27th November 2024

MOHIT AND ANOTHER

.....Petitioners

versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Virender Soni, Advocate
for the petitioners.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. Paras Choudhary, Advocate for
Mr. Vijay Sangwan, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.07 dated 05.01.2023, under Sections 148, 149, 323, 324, 506 IPC, 1860 (Section 307 IPC added later on), registered at Police Station Urban Estate, Rohtak, District Rohtak (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 30.06.2023 (Annexure P-2), executed between the parties.

2. The parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded and report *qua* the genuineness of the compromise was sought from the trial Court/Illaq Magistrate vide order dated 17.09.2024.



3. Pursuant to the aforesaid order, the parties have appeared before the Additional Chief Judicial Magistrate, Rohtak and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 21.11.2024 with the following observations:-

“xxx xxx xxx xxx

- (i) *The compromise arrived at between the parties is genuine.*
- (ii) *The complainant, all the injured/victim and all the accused are party to the compromise.*
- (iii) *No additional accused has been added during the investigation.*
- (iv) *The accused has not been declared as proclaimed offender.*
- (v) *During investigation, Section 148, 149 IPC were deleted and Section 307, 201 IPC were added.*
- (vi) *No investigation is pending against any of the accused and no accused has been declared innocent during the investigation.*

xxx xxx xxx xxx”

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

6. Following the principles laid down by the Full Bench judgment of this Court in “**Kulwinder Singh and others Versus State of Punjab and another 2007**” (3) RCR (Criminal) 1052 and approved by the Hon'ble Supreme Court in “**Gian Singh Versus State of Punjab and others**” (2012) 10 SCC 303, the present petition is allowed and FIR No.07 dated 05.01.2023, under Sections 148, 149, 323, 324, 506 IPC, 1860 (Section 307



District Rohtak (Annexure P-1) and all subsequent proceedings arising therefrom are ordered to be quashed qua the petitioners.

7. However, the respondent No.2/complainant and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated compromise deed dated 30.06.2023 (Annexure P-2) are violated.

8. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

27th November 2024
simran

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>