

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

300

CRM-M-61101-2023 (O&M)
Date of decision: 08.04.2024

ANIL ALIAS SHIBU AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Govind Rana, Advocate,
for the petitioners.

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

Mr. Abhishek, Advocate for
Rajesh Kumar Jangra, Advocate for respondent Nos.2 and 3.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.141 dated 09.09.2021, under Sections 148, 149, 323, 354-A, 452 and 506 IPC registered at Police Station Panipat Sadar, District Panipat (Annexure P-1), on the basis of compromise deed dated 06.11.2023 (Annexure P-2) arrived at between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the present FIR was registered due to misconception and misunderstanding between the parties. He further contends that the parties have resolved their misunderstanding and a written compromise deed dated 06.11.2023 (Annexure P-2) has been executed between them. He submits that the matter stands resolved between the

parties, as such, respondents No.2 and 3 does not want to take any action in the present FIR.

[3] Learned counsel for respondent Nos.2 and 3 has confirmed the factum of compromise between the parties.

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

[5] On 07.12.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[6] As per the report dated 24.01.2024, received from the Judicial Magistrate 1st Class, Panipat through the District & Sessions Judge, Panipat, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

[7] Since the matter has been settled between the parties and the parties have buried the hatchet and given quietus to the matter and keeping in view the facts and circumstances of the case and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052**, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No.141 dated 09.09.2021, under Sections 148, 149, 323, 354-A, 452 and 506 IPC registered at Police Station Panipat Sadar, District Panipat (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the

petitioners.

[9] However, the respondents No.2 and 3 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise (Annexure P-2) are violated.

[10] Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

08.04.2024

P.Bhatt	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No