

CRM-M-63590-2023
Date of decision: 25.01.2024

Versus

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 13.12.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
231	19.10.2023	147, 148, 149, 323, 379-B, 427 & 506 IPC. (Later on Sections 147, 148, 149, 379-B IPC were deleted).	Civil Lines, Gurugram.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise/settlement deed dated 13.12.2023, which is duly signed by them. The matter was

referred to the Court below for recording of statements of the parties and

to report with respect to genuineness of the compromise arrived at between the parties. Learned Additional Chief Judicial Magistrate, Gurugram, vide report dated 06.01.2024, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No. 2 is represented by his counsel and does not oppose the compromise.

4. In view of the report of learned Additional Chief Judicial Magistrate, Gurugram, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

5. In the circumstances, the present petition is allowed. FIR No. 231 dated 19.10.2023, under Sections 147, 148, 149, 323, 379-B, 427 & 506 IPC. (Later on Sections 147, 148, 149, 379-B IPC were deleted) registered at Civil Lines, Gurugram and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

25.01.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |