



Sr. No.293

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

**CRM-M-65294-2023 (O&M)
Date of decision: 05th December 2024**

ASHWANI AND ORS**Petitioners**

versus

STATE OF HARYANA AND ANR**Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Satish Kumar, Advocate for
Mr. Randeep Singh, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

Mr. Sukhdev Singh, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant second petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.898 dated 14.09.2023, under Sections 148, 149, 354-A, 452, 506 IPC, 1860 (Sections 148, 149, 452 IPC deleted later on and Sections 354, 34 IPC added later on), registered at Police Station Sadar Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 28.10.2023 (Annexure P-2), executed between the parties.

2. The first petition bearing No.CRM-M-60401-2023, filed under Section 482 Cr.P.C. was dismissed as withdrawn with liberty to file fresh petition, vide order dated 01.12.2023 (Annexure P-3).

3. The parties were directed to appear before the trial Court/Illaqa
Magistrate to get their statements recorded and report *qua* the genuineness



of the compromise was sought from the trial Court/Illaqa Magistrate vide order dated 04.01.2024.

4. Pursuant to the aforesaid order, the parties have appeared before the Additional Chief Judicial Magistrate, Karnal and got their statements recorded. On the basis of the statements so recorded, the learned Magistrate has submitted report dated 20.02.2024 with the following observations:-

“(i) The compromise between the parties is genuine, freely-entered without any undue influence, coercion or pressure of any kind.

(ii) The complainant/injured Poonam and all four accused namely Ashwani, Amit, Surjeet Singh and Surender are party to the compromise.

(iii) None of the accused has been declared as Proclaimed Offender.

(iv) As per the statement of the IO, Sections 148, 149, 452 IPC were deleted during investigation and Sections 354, 34 IPC were added.

(v) After completion of investigation, challan has been presented before the trial Court against all the aforementioned four accused persons.”

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

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

7. 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)



14.09.2023, under Sections 148, 149, 354-A, 452, 506 IPC, 1860 (Sections 148, 149, 452 IPC deleted later on and Sections 354, 34 IPC added later on), registered at Police Station Sadar Karnal, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom are ordered to be quashed qua the petitioners.

8. 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 28.10.2023 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

05th December 2024
simran

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No