



CRM-M No.4750-2024

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

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CRM-M No.4750-2024 (O&M)

Date of Decision: 03.03.2025

Jaspreet Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Lishika Mehta, Advocate for
Mr. G.B.Gilhotra, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

Mr. Shivam Vashisht, Advocate for respondent Nos. 2 to 5.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed under Section 482 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') for quashing of FIR No. 99 dated 16.08.2021, under Sections 323, 506 and 148 read with Section 149 of Indian Penal Code, 1860 (for short, 'IPC'), registered at P.S. Panjokhra, District Ambala along with all subsequent proceedings arising therefrom on the basis of compromise dated 09.06.2023 effected between the parties i.e. petitioner and respondent Nos. 2 to 5, *qua* the petitioner.

(2) Allegations are that petitioner along with co-accused formed an unlawful assembly and in prosecution of their common object caused injuries on the person of complainant(s) with iron rod and wooden stick.

(3) Contends that the parties i.e. petitioner as well as respondent Nos.2 to 5 have amicably settled the matter.

(4) Learned counsel for respondent Nos. 2 to 5 has duly



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acknowledged the factum of compromise of petitioner as well as respondent Nos. 2 to 5.

(5) Learned State Counsel, on instructions, has apprised the Court that there are other co-accused, namely, Gurpreet @ Gogi, Amandeep Singh, Davinder Singh, Manjot Singh, Navjot Singh, Lakhwinder Singh @ Lakhi, Lakhbir Singh, Deepak @ Ponti and Manpreet Singh; but they have not been arrayed as petitioners; nor there is any compromise with them.

(6) Heard learned counsel for the parties and perused the paper book.

(7) It is a partial quashing petition. However, Division Bench of this Court in **CRM-M No.48043 of 2023** titled as **Rakesh Dass Vs. State of Haryana and another**, decided on 12.11.2024 held that petition for partial quashing is not maintainable. Relevant paragraph from the said judgment is reproduced hereunder:-

“26. In sequel, when therebys the learned trial Judge concerned, may be led to pronounce a verdict of acquittal, viza-viz those, who remain omitted to be mentioned in the piecemeal order of composition, as made post a piecemeal settlement, becoming recorded amongst the concerned. In consequence, besides naturally havoc would be caused not only to the criminal administration system, but also to the trite underpinning thereof, that no damage accrues to the moral conscience of the society nor the moral conscience of the society becoming shaken. It is but to avoid the above illcasualities or the ill-situations (supra), that the Hon’ble Supreme Court, has in the verdicts (supra), thus has made supra guidelines, wherebys but obviously there is a requirement of exercisings of self-restraint by the High Courts, in receiving piecemeal settlements, and, also subsequently in making piecemeal orders of composition. Reiteratedly, the ill effects of receivings of such piecemeal settlements and also the makings of consequent thereto piecemeal orders of composition, thus naturally would be the above. In sequel, issue No. 1 is answered accordingly.

27. In some situations, as stated (supra), the victim may attempt to be the driver of the criminal justice system, but to ensure that the victim/complainant, does not become the driver of the criminal justice system, through makings of piecemeal settlements, thereupons the Courts are required to be not



accepting any piecemeal settlements, rather are required to be rejecting piecemeal settlements, nor they are required to be making piecemeal orders for the composition of offence. Issue No. 2 is answered accordingly.”

(8) In view of the above, there is no option, except to dismiss the petition, “at this stage”.

(9) Ordered accordingly.

(10) It is clarified that above observations be not construed as an expression of opinion on merits of the allegations levelled in the FIR (*supra*).

Pending application(s), if any, shall also stand disposed off.

03.03.2025
Rajeev (rvs)

(MAHABIR SINGH SINDHU)
JUDGE

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