



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33959-2016 (O&M)
CRM-M-42254-2015 (O&M)
Date of decision: 19.02.2025

CRM-M-33959-2016

Ramphal and others ...Petitioners

Versus

State of Haryana and another ...Respondents

AND

CRM-M-42254-2015

Krishan @ Niranjana and others ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sushil Jain, Advocate for the petitioners
in CRM-M-33959-2016 and for the complainant
in CRM-M-42254-2015.

Mr. Aditya Jain, Advocate for the petitioners
in CRM-M-42254-2015 and for the complainant.
in CRM-M-33959-2016.

Mr. Sulinder Kumar, DAG, Haryana.

KARAMJIT SINGH, J. (ORAL)

- Both the petitions are taken up together for final disposal since the parties involved in both these cases are same and are raising inter-se allegations against each other.
- CRM-M-33959-2016 has been filed by the petitioners (accused

therein) under Section 482 Cr.P.C. seeking quashing of FIR No.281 dated 20.06.2013 (Annexure P-1) under Sections 323, 342, 34 IPC, registered at Police Station Civil Lines, Sonapat and impugned charge sheet dated 03.04.2014 issued by Chief Judicial Magistrate, Sonapat (Annexure P-8) along with all the subsequent proceedings arising therefrom.

3. CRM-M-42254-2015 has been filed by the petitioners (accused therein) under Section 482 Cr.P.C. seeking quashing of FIR No.330 dated 30.09.2015 (Annexure P-1) under Sections 323, 452, 506, 148, 149 IPC, registered at Police Station Civil Lines, Sonapat along with all the subsequent proceedings arising therefrom.

4. In response to the notice of motion in CRM-M-33959-2016, State counsel appeared on behalf of respondent No.1-State. Mr. Aditya Jain, Advocate appeared on behalf of complainant/respondent No.2.

5. Reply by way of affidavit of Rahul Dev, Deputy Superintendent of Police, Sonapat filed on behalf of the State was taken on record.

6. In response to the notice of motion in CRM-M-42254-2015, State counsel appeared on behalf of respondent No.1-State. Mr. Sushil Jain, Advocate appeared on behalf of complainant/respondent No.2.

7. Reply by way of affidavit of Rahul Dev, Deputy Superintendent of Police, Sonapat filed on behalf of the State was taken on record along with Annexure R-1. Respondent No.2 filed separate reply which was taken on record along with documents Annexure R-2/1 to Annexure R-2/8

8. In CRM-M-33959-2016, FIR No.281 dated 20.06.2013 Annexure P-1 was registered on the basis of the statement of complainant Manju Devi wherein she alleged that on 19.06.2013 at about 7:30 PM, she

was coming from Anganwadi and when she reached in front of house of Ramphal, the said accused caught hold of her hand and pulled her inside his house and in the meantime, Virender and Meenu @ Parveen both sons of Ramphal also came there. Ramphal tried to outrage her modesty and put his hand on her breast and also kicked on her buttocks and torn her shirt and Ramphal and his sons tried to sexually assault her and they also gave stick blows on her arms and caused multiple injuries on her body. She raised alarm which attracted her mother in law, one Satwanti and Avinash and all three of them rescued her from the hands of Ramphal and his sons. She was admitted in government hospital, where she was provided medical treatment.

9. In connected matter having CRM-M-42254-2015, respondent/complainant Meenakshi wife of Parveen reported to the police that on 19.06.2013 at about 8:30 PM, she along with her mother in law Bhanmati and sisters in law Neelam, Mamta and Darshana was present in house. In the meantime, the petitioners trespassed into house and petitioners Krishan, Kapil and Manju gave slaps and fist blows to Bhanmati while petitioners Kanta and Ravi gave slaps and fist blows to Neelam and in the meantime, Mamta made a phone call to the police. Her father in law Ramphal reached the spot before the arrival of the police and in the meantime, her husband Parveen and brother in law Birender also reached there and police recorded their statements. Subsequently also, at about midnight, Kapil and his mother Dhanwati attacked her and Kapil caused injuries to her. On the basis of the aforesaid statement of Meenakshi, FIR No.330 dated 30.09.2015 was registered against the aforesaid accused persons.



10. During pendency of both the petitions, the parties offered to settle their dispute. Resultantly, both the parties were directed to appear before the Mediation and Conciliation Centre of this Court. In compliance of the said order, both the parties participated in the mediation proceedings, which resulted into final settlement between the parties. The concerned settlement agreement dated 05.12.2024 which was signed by all the parties is received by this Court along with the report of the concerned mediator. The same are taken on record.

11. Today, the counsel appearing on behalf of the private parties apprised the Court that parties have entered into a compromise and now the entire dispute has been settled. In CRM-M-33959-2016, complainant/respondent No.2 Manju Devi made statement that she has got no objection if the impugned FIR No.281 dated 20.06.2013 is quashed, as the matter has been compromised between the parties. In the similar manner, Meenakshi who is complainant in CRM-M-42254-2015, made statement that she is having having no objection if the FIR No.330 dated 30.09.2015 is quashed on the basis of aforesaid compromise.

12. Admittedly, the parties are residing in the same locality. From the perusal of the settlement agreement dated 05.12.2024, it is evident that the aforesaid settlement was effected by the parties without any fear and pressure and is genuine. The complainant(s) and victim(s) do not want to take any further action against the opposite party. This Court is of the view that aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner.

13. In view of the above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

14. For the reasons aforesaid and having regard to the law laid down by Hon'ble Apex Court in *Gian Singh v. State of Punjab and another, 2012 (4) RCR (Criminal) 543* and Five Judges Bench of this Court in *Kulwinder Singh and others v. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, both the petitions are allowed and FIR No.281 dated 20.06.2013 under Sections 323, 342, 34 IPC, registered at Police Station Civil Lines, Sonapat and FIR No.330 dated 30.09.2015 under Sections 323, 452, 506, 148, 149 IPC, registered at Police Station Civil Lines, Sonapat and all the subsequent proceedings arising therefrom are quashed.

15. Both the petitions are disposed of in the aforesaid terms.

16. Pending applications, if any stand disposed of.

19.02.2025
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No