

CRM-M-39313-2023

2023:PHHC:139907

333

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39313-2023

Date of decision:-02.11.2023

Vinod and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL**Present** : Mr.Rishi Lal, Advocate
for the petitioners.

Ms.Geeta Sharma, DAG, Haryana.

Mr.Gurasis, Advocate for
Ms.Sonia, Advocate
for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.95 dated 01.03.2020, under Sections 323, 34, 452, 506 IPC, registered at Police Station Quila, Panipat, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 07.07.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioners submits that the FIR is a fallout of a petty dispute, which has been amicably settled by compromise, Annexure P2 and the parties have appeared before the learned Judicial Magistrate and recorded their statements.

CRM-M-39313-2023

2023:PHHC:139907

333

-2-

3. Upon instructions, State counsel submits that the trial is underway.

4. Counsel appearing for the respondent No.2/complainant supports the prayer made in the petition.

5. Heard counsel for the parties.

6. Pursuant to order dated 10.08.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“1. As per the report of ASI Parveen Kumar, accused Vinod Kumar, Narender, Sandeep and Pankaj are arrayed in the present FIR and during investigation, Pankaj was found innocent. As per the report of I.O./ASI Parveen Kumar, no accused is Proclaimed Offender/person in the present FIR. All three accused Vinod Kumar, Narender and Sandeep appeared in the Court and gave statement regarding compromise.

2. As per the report of I.O./ASI Parveen Kumar, there is only one complainant/aggrieved respondent i.e. Suresh and he appeared and got recorded his statement regarding compromise.

3. The case is at the stage of prosecution evidence.

4. As per the statement of complainant/respondent as well as accused/petitioner, the undersigned is of the view that compromise between the parties is genuine and voluntarily and with free will of the party.

5. As per the report of ASI Parveen Kumar, no other case is pending against accused.”

2023:PHHC:139907

CRM-M-39313-2023

-3-

333

7. In view of the report given by the learned Magistrate and judgment of the Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543* and a Full Bench of this Court in *Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

8. Accordingly, the petition is allowed. FIR No.95 dated 01.03.2020, under Sections 323, 34, 452, 506 IPC, registered at Police Station Quila, Panipat, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

02.11.2023
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Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No