

(2013) 08 P&H CK 0265

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-19135 of 2013 (O and M)

Rati Ram and Others

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 05-08-2013

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 148, 149, 307, 323, 325

Citation : (2013) 08 P&H CK 0265

Hon'ble Judges : Ram Chand Gupta, J

Bench : Single Bench

Advocate : Ashish Gupta in CRM No. M-19135 of 2013 and Mr. Johan Kumar in CRM No. M-19267 of 2013, for the Appellant; Ashish Gupta, Advocate for Respondent Nos. 2 to 4 in CRM No. M-19267 of 2013, Mr. Pawan Singh, D.A.G. Haryana and Mr. Johan Kumar, Advocate for Respondent Nos. 2 and 3 in CRM No. M-19135 of 2013, for the Respondent

Final Decision : Allowed

Judgement

Ram Chand Gupta, J.—This order will dispose of both the afore-mentioned petitions filed u/s 482 of the Code of Criminal Procedure for quashing of FIR No. 159 dated 29.07.2012 under Sections 323, 325, 307, 506, 148, 149, 34 of Indian Penal Code, registered at Police Station Khaidki Daula, alongwith all other consequential proceedings arising therefrom as well as cross-case bearing FIR No. 171 dated 11.08.2012 under Sections 323, 325 read with Section 34 of Indian Penal Code, registered at Police Station Khaidki Daula alongwith all other consequential proceedings arising therefrom on the basis of compromise dated 18.05.2013, having been entered between the parties. I have heard learned counsel for the parties and have gone through the record.

2. It has been stated by learned counsel for the parties that it is a case of version and cross-version. Both the parties belong to same village and are neighbours. It is further contended that dispute has since been settled due to intervention of respectable persons and relatives from both the sides.

3. Both the parties also appeared in person and filed their reply by way of their respective affidavits admitting the factum of compromise and stated that they are having no objection if both the FIRs alongwith consequential proceedings are quashed.

4. In appropriate cases FIR can be quashed on the basis of compromise by exercising power u/s 482 Cr.P.C., even if the offences are not compoundable. It was so held by Full Bench of this Court in the case of Kulwinder Singh and Others Vs. State of Punjab and Another, . Hence, in the interest of harmonious relations between the parties, both the afore-mentioned petitions are allowed and the impugned FIR No. 159 dated 29.07.2012 under Sections 323, 325, 307, 506, 148, 149, 34 of Indian Penal Code, registered at Police Station Khaidki Daula, alongwith all consequential proceedings qua petitioners Rati Ram, Dharam Pal and Hari Kishan and cross-case bearing FIR No. 171 dated 11.08.2012 under Sections 323, 325 read with Section 34 of Indian Penal Code, registered at Police Station Khaidki Daula alongwith all consequential proceedings qua petitioners Ram Niwas and Lalit are, hereby, quashed.