
(2020) 10 P&H CK 0091

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 27250 Of 2020

Sachin @ Ajay And Others

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 14-10-2020

Acts Referred:

Indian Penal Code, 1860 — Section 148, 149, 323, 324, 506
Code Of Criminal Procedure, 1973 — Section 482

Citation : (2020) 10 P&H CK 0091

Hon'ble Judges : Sanjay Kumar, J

Bench : Single Bench

Advocate : Manoj Pundir, Mahima Yashpal, Bhupender Singh

Final Decision : Allowed

Judgement

Sanjay Kumar, J

The petitioners are the accused in FIR No. 0191 dated 18.08.2020 on the file of Police Station Chhapar, District Yamuna Nagar, registered under Sections 148, 149, 323, 324 and 506 IPC. By way of this petition filed under Section 482 Cr.P.C, they seek quashing of the said FIR.

The basis for seeking such relief is the settlement of their disputes by the petitioners with respondent Nos. 2 to 5 herein, the complainants at whose behest the subject FIR was registered. Compromise Deed dated 05.09.2020 is placed on record in proof of such settlement.

Taking note of this aspect on 10.09.2020, this Court directed the parties to appear before the Illaqa Magistrate, Yamuna Nagar at Jagadhri, on 16.09.2020 for recording of their statements. The Illaqa Magistrate was directed to submit a report on certain aspects, including the issue as to whether the compromise was genuine and valid.

Pursuant to the above order, the learned Judicial Magistrate First Class, Yamuna

Nagar at Jagadhri, submitted Report dated 24.09.2020. Therein, he stated that he had recorded the statements of all the parties and found them to be bonafide. He further stated that the compromise appeared to be voluntary and without any coercion or under influence. He certified that the accused and the complainants, being the injured party, were both parties to the compromise. He also confirmed that none of the accused were involved in any other case and that none of them were declared proclaimed offenders as per the information furnished by HC Harinder Singh.

In terms of the order dated 10.09.2020 passed by this Court, Receipt dated 13.10.2020 is produced by the learned counsel for the petitioners in proof of payment of ` 5,000/- to the Punjab and Haryana High Court Bar Association, Chandigarh.

Mr. Bhupender Singh, learned counsel, entered appearance for respondent Nos. 2 to 5 and filed his power of attorney. He states that his clients have no objection to the quashing of the subject FIR.

Ms. Mahima Yashpal, learned Deputy Advocate General, Haryana, states that none of the accused have any known criminal antecedents as no other FIR has been registered against them. He further states that as the case did not involve any grievous injuries, the State has no objection to this Court quashing the subject FIR on the strength of the compromise.

Given the aforesaid facts and as the parties have chosen to amicably settle their disputes, this Court sees no grounds to deny the prayer of the petitioners. No purpose would be served in wasting the time and resources of the State in prosecuting this case further. All the more so, as the result thereof stands sealed by the compromise between the parties. It would therefore be apposite to give a quietus to the issue at this stage.

The petition is allowed. FIR No. 0191 dated 18.08.2020 on the file of Police Station Chhapar, District Yamuna Nagar, and all proceedings relating thereto are accordingly quashed.