

(2013) 07 P&H CK 0855

High Court Of Punjab And Haryana At Chandigarh

Case No: CRM No. M-16971 of 2013 (O and M)

Updesh and Others

APPELLANT

Vs

State of Haryana and Another

RESPONDENT

Date of Decision: July 30, 2013

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 482
- Penal Code, 1860 (IPC) - Section 307, 323, 325, 34, 452

Hon'ble Judges: K.C. Puri, J

Bench: Single Bench

Advocate: Rakesh Nehra, for the Appellant; P.M. Anand, Additional AG, Haryana and Mr. Manoj Kumar, Advocate, for the Respondent

Final Decision: Disposed Off

Judgement

K.C. Puri, J.

This is a petition u/s 482 of the Code of Criminal Procedure for quashing FIR No. 141 dated 31.7.2012 under Sections 323 /325 /307 /452 /34 of the Indian Penal Code registered at Police Station Lakhna Majra, Rohtak, District Rohtak, on the basis of compromise, along with all subsequent proceedings arising from that FIR. Report of the trial Court has been received in which it is mentioned that parties have arrived at a compromise. This is a personal which has been amicably settled. Learned counsel for the petitioner as well as learned counsel for the complainant have admitted the factum of compromise and have submitted that the petitioners are students and there was an altercation with the complainant and the matter has been amicably settled. The parties would live together.

2. The Full Bench of this Court in "Kulwinder Singh and others vs. State of Punjab and others" 2007 (3) RCR (Cri) 1052 held that the compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power u/s 482 of the Cr.P.C. is used to enhance such a compromise which, in

turn, enhances the social amity and reduces friction, then it truly is "finest hour of justice".

3. The Hon"ble Apex Court in [Dimpey Gujral and Others Vs. Union Territory Through Administrator, U.T. Chandigarh and Others](#), has held that Section 307 of IPC can be allowed to be compounded being personal in nature.

4. So, in view of the above circumstances and in view of authority reported as, "Kulwinder Singh"s and others case(supra) and "Dimpey Gujraj"s case (supra), the above said FIR stands quashed. Further proceedings in pursuant to that FIR also stands quashed. Disposed of.