

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

Crl. Misc. No.M-25090 of 2015

Date of Decision: 09.05.2016

Mani Manas and anotherPetitioners

Versus

The State of Punjab and anotherRespondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Surinder Sharma, Advocate
for the petitioners.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State.

Mr. Naveen Sharma, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

This petition has been filed under Section 482 CrP.C for quashing of FIR No.34 dated 24.03.2014 registered under Sections 341, 354-B, 506/34 IPC at Police Station Division No.4, Jalandhar along with all consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

The FIR, in question, was registered on the basis of complaint made by respondent No.2. However, during pendency of the proceedings, a compromise was arrived at between the parties as petitioners and

complainant are neighbourers and are resident of same locality.

Learned counsel for the petitioners submits that the said FIR was registered due to misunderstanding arose between them. The dispute between the parties has been settled with the intervention of close relatives and family members. Learned counsel also submits that no offence under Sections 341, 354-B, 506/34 IPC is made out against the petitioners.

The factum of compromise has not been disputed by learned counsel appearing on behalf of the complainant.

Heard the arguments of learned counsel for the parties and have also perused the allegations levelled in the FIR as well as other documents available on the file.

Filing of complaint and lodging of FIR as well as filing of this petition on the basis of compromise are not disputed by learned counsel for the parties. As per compromise arrived at between the petitioners and complainant, the present petition was filed, wherein, notice of motion was issued on 31.07.2015. The parties were directed to appear before the Illaqa Magistrate/trial Court for recording of their statements with regard to compromise.

In compliance of said directions, the statements of the parties were recorded, wherein, the factum of compromise has been affirmed. Petitioners were juvenile at the time of occurrence and they were facing trial before the Principal Magistrate, Juvenile Justice Board, Jalandhar. The statements of the parties were recorded by the Principal Magistrate, Juvenile Justice Board, Jalandhar. A report has also been sent to this Court after recording the statements of the parties, wherein, it has been mentioned that the compromise was as per free will of the parties and there was no pressure from either side. The statements of the juvenile-

petitioners were recorded separately. As per statement of complainant-Divya, who is about 20 years of age, the compromise has been effected, which was reduced into writing on 15.07.2015. She has no objection in quashing of FIR as well as other proceedings arising therefrom. A copy of compromise has also been placed on record as Annexure P-2. The said compromise has been signed by both the parties as well as other witnesses.

Since the dispute between the parties has been settled by way of compromise and the complainant has no objection in quashing of FIR as well as other proceedings, this Court has inherent powers under Section 482 Cr.P.C to quash the criminal proceedings even in those offence, which are non-compoundable as has been held in larger Bench of this Court in ***Kulwinder Singh vs State of Punjab 2007(3) RCR (Criminal) 1052***. The purpose of compromise is to maintain peace and harmony in the relations. The petitioners and complainant are resident of same locality and the FIR was registered due to misunderstanding that arose between them and subsequently, the same has been sorted out as the compromise was arrived at between them.

Accordingly, the present petition is allowed and FIR No.34 dated 24.03.2014 registered under Sections 341, 354-B, 506/34 IPC at Police Station Division No.4, Jalandhar along with all consequential proceedings arising therefrom, qua petitioners, namely, Mani Manas and Gobind Bajaj are hereby quashed.

09.05.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE