

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No.M-44268 of 2016 (O&M)
Date of decision: 07.03.2017**

Harjinder Singh & others

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Rajvir Singh, Advocate for the petitioners.

Mr. Varun Sharma, AAG, Punjab.

Mr. P.S.Mehrok, Advocate for
Mr. KSD Sodhi, Advocate for the complainant.

...
TEJINDER SINGH DHINDSA, J. (ORAL).

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.32 dated 23.02.2015 under Sections 323/341/506/148/149/201 IPC registered at Police Station City Roopnagar, District Roopnagar on the basis of compromise, which as per counsel has been entered into between the parties.

Since quashing was sought on the basis of compromise, this Court had directed the parties to appear before the trial Court for recording of their statements in support of the compromise and a veracity report was called for.

Placed on record is a report dated 23.12.2016 of the Judicial Magistrate 1st Class, Roopnagar, District Roopnagar and a perusal of the same would reveal that statements of the complainant, namely, Gurdeep Singh as also the accused party/petitioners herein have been duly recorded and it has been opined that a compromise has been arrived at without any pressure or coercion.

Mr. P.S. Mehrok, Advocate puts an appearance on behalf of the

complainant/respondent No.2 and concedes to the factum of the compromise and states that he would have no objection to the quashing of the FIR.

This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a Full Bench decision of this Court in *Kulwinder Singh & others Vs. State of Punjab & others, 2007 (3) RCR (Criminal) 1052*.

Adverting back to the facts of the present case, the occurrence has taken place on account of party faction. Even as per version of the complainant, there was a conflict between the parties since father of the complainant had won the Panchayat elections whereas the accused party was siding with the opposition.

Concededly, the injuries suffered by the complainant had been opined to be simple in nature.

In the considered view of this Court, it would be a fit case for exercise of powers under Section 482 Cr.P.C. and to bring to an end the criminal prosecution that had been initiated in the light of the impugned FIR.

For the reasons recorded above, the present petition is allowed. FIR No.32 dated 23.02.2015 under Sections 323/341/ 506/148/149/201 IPC registered at Police Station City Roopnagar, District Roopnagar and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition allowed in the aforesaid terms.

07.03.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |