

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

**CRM-M No.34674 of 2018 (O&M)  
Date of Decision: 17.01.2019**

Bhupinder Singh

.....Petitioner

*Versus*

State of Punjab and another

.....Respondents

**CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Manjinder Singh Saini, Advocate for the petitioner.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab  
for respondent No.1/State.

Mr. Ramneek Vasudeva, Advocate for respondent No.2.

\*\*\*\*

**MAHABIR SINGH SINDHU, J. (ORAL)**

Present petition under Section 482 Cr.P.C. has been filed praying for quashing of FIR No.0046 dated 01.05.2018 (**P-1**), under Sections 323, 324 of the Indian Penal Code, registered at Police Station Kharar, District SAS Nagar Mohali along with all consequential proceedings on the basis of compromise dated 07.05.2018 (**P-2**) entered into between the parties.

This Court, while issuing notice of motion on 13.08.2018, passed the following order:-

*“ The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.0046 dated 01.05.2018, (Annexure P-1) under Sections 323/324 IPC registered at Police Station Karar, District SAS Nagar Mohali on the basis of compromise entered among the parties.*

*Notice of motion.*

*In view of these factual aspects, the parties are directed to appear before the trial Court/Illaq Magistrate on 11.09.2018 for*

*getting their statements recorded with regard to the compromise arrived at between them.*

*The learned trial Court is directed to indicate (i) how many total accused are facing the trial, (ii) status/stage of the trial/case, (iii) to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise and (iv) to send its report to this Court through District and Sessions Judge, before the next date of hearing.*

*List this matter on 20.09.2018. ”*

In terms of above order, the statements of the parties were recorded by learned Judicial Magistrate 1<sup>st</sup> Class, Kharar and submitted a report dated 08.10.2018. The operative part of the same reads as under:-

*“ From the statements of the parties so recorded in the Court on oath, the undersigned is submitting the report, as desired by Hon'ble High Court, as under:-*

*i) In FIR No.46 dated 01.05.2018, under Sections 323, 324, IPC P.S. Kharar (Mohali), there is one accused namely Bhupinder Singh;*

*ii) In the present case, only FIR was registered.*

*Iii) As per the statements of the parties, the compromise appears to be genuine, voluntary and without any coercion or undue influence. ”*

A perusal of the aforesaid report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence.

Learned State Counsel, on instructions from ASI Sukhwinder Singh, has acknowledged the above fact and further stated that he has no objection in case the present FIR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties. Even before this Court also, there is no objection by either of the parties in case the

present FIR is quashed.

In view of above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquillity and thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the present petition is allowed and the aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioner.

**January 17, 2019**

Gagan

**( MAHABIR SINGH SINDHU )  
JUDGE**

|                           |     |
|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable        | No  |