

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CRM-23305 and 24713 of 2021 in/and
CRM-M-1729 of 2019 (O&M)
Date of Decision:25.8.2021**

Kuldip Singh and another

---Petitioners

versus

State of Punjab and another

---Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amandeep Singh Mainaise, Advocate
for the petitioners
Mr. Ramandeep Sandhu, Sr. DG, Punjab
Mr. J.S.Mahal, Advocate
for respondent No. 2

HARSIMRAN SINGH SETHI, J. (Oral)

CRM No. 23305 of 2021

The present application has been filed for placing on record the 'No Objection Certificate' granted by the Tehsildar in favour of respondent No. 2 for entering into compromise for quashing the FIR.

Application is allowed.

The 'No Objection Certificate' dated 27.7.2021 attached as Annexure P-4 with the application is taken on record.

CRM No. 24713 of 2021

Prayer in this application is for preponement of the date of hearing in CRM-M-1729 of 2019 which now stands adjourned for 10.11.2021.

Notice in the application to counsel opposite.

Mr. Ramandeep Sandhu, learned Sr. Deputy Advocate General, Punjab, who has joined the proceedings through video conference, accepts

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notice on behalf of respondent No. 1.

Mr. J.S.Mahal, Advocate, who has also joined the proceedings through video conference, accepts notice on behalf of respondent No.2.

Learned counsel for the respondents raise no objection in case the hearing of CRM-M- 1729 of 2019 is preponed to today.

Allowed as prayed for.

CRM-M-1729 of 2019 is preponed to today.

CRM-M- 1729 of 2019

Present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.66 dated 08.10.2017 under Sections 353, 186, 189, 506, 294, 34 IPC registered at Police Station Kalanaur, District Gurdaspur on the basis of the compromise, which has been entered into between the parties.

Before any action could be taken, the parties were directed to get their statement recorded and as per the report dated 03.08.2019, which has been received from the Judicial Magistrate Ist Class, Gurdaspur the parties have genuinely compromised the matter and there are no other cases pending against the accused.

Learned counsel for the petitioners submits that the parties have already entered into compromise so as to live peacefully and no useful purpose will be served in keeping the FIR alive.

Learned counsel for the respondent-complainant admits the compromise as well as the statement made before the Judicial Magistrate Ist Class and does not raise any objection, in case the FIR in question is quashed on the basis of the compromise.

Learned State counsel has also not pointed out any objection in

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respect of the prayer of the parties for quashing the FIR on the basis of the compromise.

Keeping in view the totality of the circumstances which have been mentioned herein before and that the parties have already entered into compromise to settle their dispute so as to live peacefully and none of the accused is a proclaimed offender and there are no other criminal cases against the accused-petitioners, this Court is inclined to accept the prayer of the petitioners for quashing the FIR on the basis of the compromise.

Thus, the FIR No.66 dated 08.10.2017 under Sections 353, 186, 189, 506, 294, 34 IPC registered at Police Station Kalanaur, District Gurdaspur and all other subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise entered into between the parties.

However, the time of the Court has been consumed by the parties in their inter se dispute, hence quashing of the FIR, will be subject to the payment of Rs.15000/- as costs, to be deposited with Prabh Asra, Bank Account No.014894600000970, Yes Bank Branch, SCO 151/152, Sector 9-C, Chandigarh by the petitioners.

(HARSIMRAN SINGH SETHI)
JUDGE

25.8.2021

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No