

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

Sr. No.238

CRM-M No.5674 of 2020

DATE OF DECISION: 27.10.2021

Jaspal Singh @ Mastan

.....Petitioner

Versus

State of Punjab and another

.....Respondents

(Heard through Video-Conferencing)

CORAM:- HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Simranjeet Singh Sarwara, Advocate
for the petitioner.

Mr. Sukhbeer Singh, A.A.G, Punjab
for respondent No.1-State.

Mr. Sanjay Khan, Advocate for
Mr. M.S. Bhatti, Advocate
for respondent No.2.

MEENAKSHI I. MEHTA, J. (ORAL)

By way of the instant petition, the petitioner has invoked the jurisdiction of this Court under Section 482 Cr.P.C for seeking the quashing of the FIR bearing No.94 dated 03.09.2019 registered at Police Station Banur, District Patiala, under Sections 452, 323, 324, 506, 148 and 149 IPC as well as all the subsequent proceedings arising therefrom, while averring that the parties have arrived at a compromise (Annexure P-2) qua their dispute leading to the registration of the said FIR.

Bereft of unnecessary details, the allegations, as levelled in the subject FIR, are that while respondent No.2-complainant was present at his

house, the petitioner, along-with 4/5 unknown persons, came there and caused injuries to him.

Vide the order dated 10.02.2020 passed by the Co-ordinate Bench, the private parties had been directed to appear before the trial Court/Illaq Magistrate on 18.02.2020 for recording their statements in respect of the compromise/settlement. In pursuance of this order, learned Judicial Magistrate Ist Class, S.A.S. Nagar, Mohali, recorded their (parties') statements and has submitted his report (which has already been placed on the file) mentioning therein that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence and that as per the statement of ASI Rakesh Kumar, the Investigating Officer, there is only one accused and one complainant named Karamjit Singh, i.e respondent No.2, in the said FIR and the petitioner has not been declared proclaimed offender and he is not involved in any other case. The statements of both the parties and the above-named ASI, have also been annexed with the said report.

I have heard learned counsel for the petitioner as well as learned State counsel and learned counsel for respondent No.2, in the instant petition and have also perused the file thoroughly.

The said compromise has been effected to put the dispute between the parties at rest for all the times to come and the same would promote peaceful, harmonious and cordial relations between them. It being so, there are bleak chances of the conviction of the petitioner and in these circumstances, the continuation of the proceedings in the case arising out of

the said FIR would be an exercise in futility.

Keeping in view the above-discussed facts and circumstances as well as the observations as made by the Apex Court in **Gian Singh vs. State of Punjab and another (2012) 4 RCR (Criminal) 543**, the FIR bearing No.94 dated 03.09.2019 registered at Police Station Banur, District Patiala, under Sections 452, 323, 324, 506, 148 and 149 IPC as well as all the subsequent proceedings arising therefrom (if any) are hereby quashed.

The petition in hand stands allowed accordingly.

October 27, 2021

Seema

**(MEENAKSHI I. MEHTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No