

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 15000 of 2021 (O&M)
Date of Decision: 25.11.2021

Karanvir Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Sandeep Kumar, Advocate
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

Ms. Kamaljeet Kaur, Advocate
for respondent No. 2.

SURESHWAR THAKUR, J. (ORAL)

1. Through the instant petition, under Section 482 Cr.P.C., the petitioners seek quashing of FIR No. 0065 dated 1.7.2020 registered at Police Station Doraha, Khanna, District Ludhiana, constituting therein offences, under Sections 323, 341, 506, 34 IPC, and, all the consequent proceedings arising therefrom, hence on the basis of compromise dated 27.3.2021 (Annexure P-2), arrived at between the parties.

2. When the instant petition came up before this Court on 6.4.2021, an order was made upon the learned Magistrate concerned, to make a report to this Court, with respect to the validity, and, genuineness of the compromise, as also whether any person(s) has/have been nominated as accused, and, as also whether any person has been declared proclaimed offender. The afore order, makes it apparent that the petitioners had

depended, upon, a compromise/settlement, arrived at, in respect of the FIR (supra) with the complainant-respondent.

3. The afore made order by this Court on 6.4.2021, has been complied with by the learned Magistrate concerned, and, the elicited report has been placed on record. A perusal of the report, transmitted to this Court, by the learned Magistrate concerned, reveals that the settlement/compromise, arrived at *inter se* the petitioners, and, the respondent No. 2, is a sequel of both, being *ad idem* qua it, besides the compromise/settlement being a sequel of no pressure or coercion, being exercised upon each other. Therefore, the learned Magistrate has reported that the settlement/compromise, depended upon by the petitioners, for seeking quashing of the FIR (supra), is both voluntary, and, genuine.

4. The learned counsel for the petitioners submits that though, after completion of investigation by the investigating officer into the offences (supra), as embodied in FIR (supra), a report under Section 173 Cr.P.C., has been filed before the learned trial Magistrate concerned. However, it is also fairly stated before this Court that thereafter, charges have not yet been framed.

5. Bearing in mind the afore statement, made by the learned counsel for the petitioners, and also, bearing in mind the further fact, that though challan has been presented before the learned trial Magistrate concerned, yet with the charges being not framed. Moreover, also bearing in mind the fact that the offences carried in the FIR (supra), are compoundable.

6. Therefore, this Court is constrained to accept the report presented to this Court by the Illaqa Magistrate concerned.

7. Accordingly, FIR No. 0065 dated 1.7.2020, registered at Police Station Doraha, Khanna, District Ludhiana, constituting therein offences under Sections 323, 341, 506, 34 IPC, and, also all the consequential proceedings, hence arising therefrom, are quashed qua the petitioners.

(SURESHWAR THAKUR)
JUDGE

November 25, 2021
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No