

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.227

CRM-M No.14594 of 2019

Date of Decision: 09th November, 2021.

Roop Singh @ Rupa Singh & Others

...Petitioners

Versus

State of Punjab & Another

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. Inderjit Sharma, Advocate,
for the petitioners.

Ms. Samina Dhir, DAG, Punjab,
for respondent No.1-State.

Mr. M.K. Bhatnagar, Advocate,
for respondent No.2

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MEENAKSHI I. MEHTA, J.

By way of the instant petition, the petitioners have invoked the jurisdiction of this Court under Section 482 Cr.P.C for seeking the quashing of the FIR bearing No.0220 dated 11.11.2016 registered at Police Station Maur, District Bathinda, under Sections 452, 323, 34 IPC (wherein the offence under Section 452 IPC has been deleted and the offences under Sections 325 & 459 IPC are stated to have been added later on vide DDR No.020 dated 18.02.2019 entered at the above-said Police Station) 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.

Shorn and short of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioners forcibly entered into the house of respondent No.2-complainant and caused injuries to him.

Vide the order dated 29.03.2019 passed by the Co-ordinate Bench, the parties had, initially, been directed to appear before the trial Court/Illaq Magistrate within a period of 30 days for recording their statements in respect of the compromise/settlement and vide order dated 24.05.2019, the said time was extended. In pursuance of these orders, learned Judicial Magistrate Ist Class, Talwandi Sabo, 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 Farvinder Singh, the Investigating Officer, four persons, i.e the petitioners, have been arrayed as accused and there is only one victim/complainant, i.e respondent No.2, in the said FIR and none of the petitioners is a proclaimed offender nor is 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 petitioners 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 petitioners 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.0220 dated 11.11.2016 registered at Police Station Maur, District Bathinda, under Sections 452, 323, 34 IPC (wherein the offence under Section 452 IPC has been deleted and the offences under Sections 325 & 459 IPC are stated to have been added later on vide DDR No.020 dated 18.02.2019 entered at the above-said Police Station) as well as all the subsequent proceedings arising therefrom (if any) are hereby quashed.

The petition in hand stands allowed accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

09.11.2021.
seema

Whether speaking/reasoned?	Yes
Whether Reportable?	No