

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

Sr. No.225(A)

CRM-M No.25855 of 2021

DATE OF DECISION: 16.09.2021

Manjit Kumar and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

(Heard through Video-Conferencing)

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

Present:- Mr. Amandeep Singh Meho, Advocate
for the petitioners.

Ms. Samina Dhir, D.A.G., Punjab
for respondent No.1-State.

Mr. Varun Goyal , Advocate
for respondent No.2.

MEENAKSHI I. MEHTA, J. (ORAL)

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 General Diary/Rapat No.047 entered at Police Station Bhogpur, Jalandhar on 16.02.2021 under Sections 323, 324, 148, 149 IPC (wherein the offence under Section 326 IPC is stated to have been added later-on), in connection with the FIR bearing No.0032 registered at the same Police Station on the same day 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 entry of the said GD/Report.

Bereft of unnecessary details, the allegations, as levelled in the subject General Diary/Report, are that the petitioners caused injuries to complainant-respondent No.2, as petitioner No.1 was not having good relations with him and he (complainant) had tried to help the family members of one Faggan as the petitioners wanted to take forcible possession of their plot.

Vide the order dated 13.07.2021 passed by this Court, the parties had been directed to appear before the Illaqa Magistrate/trial Court on 24.08.2021 for recording their statements in respect of the compromise. In pursuance of this order, Judicial Magistrate Ist Class, Jalandhar, recorded their (parties') statements and has submitted his report (which is already placed on the file) mentioning therein that the compromise arrived at between the parties is genuine and voluntary and without any coercion or undue influence. As per the statement of ASI Talwinder Singh, the Investigating Officer, the complainant/respondent No.2 Inderjit Saroya is the only aggrieved person in this case and the petitioners have not been declared proclaimed offenders/proclaimed persons in the case and no other criminal case is pending against them. The copies of 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 General Diary/Report 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 General Diary/Rapat No.047 entered at Police Station Bhogpur, Jalandhar on 16.02.2021 under Sections 323, 324, 148, 149 IPC (wherein the offence under Section 326 IPC is stated to have been added later-on), in connection with the afore-mentioned FIR as well as all the subsequent proceedings arising therefrom (if any) are hereby quashed.

The petition in hand stands allowed accordingly.

September 16, 2021

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(MEENAKSHI I. MEHTA)

JUDGE

Whether speaking/reasoned:

Yes

Whether reportable:

No