

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

Sr.No.269

**CRM-M No.27902 of 2021
Date of Decision: 13.12.2021**

Harjinder Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

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

Present: Mr. Jagdish Singh Mahal, Advocate,
for the petitioners (joined through virtual mode).

Ms. Samina Dhir, Deputy Advocate General, Punjab
for respondent No.1-State.

Mr. Paras Jagga, Advocate
for respondent No.2 (joined through virtual mode).

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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.2 dated 07.01.2019 registered at Police Station Goindwal Sahib, District Tarn Taran, under Sections 323, 324 read with Section 34 IPC (wherein the offence under Section 201 IPC is stated to have been added later-on) as well as the subsequent proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute, culminating in the registration of the said FIR.

Shorn and short of unnecessary details, the allegations, as levelled in the subject FIR, are that the petitioners caused injuries to

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respondent No.2-complainant with *Kirpan*, baseball bat etc.

Vide the order dated 20.07.2021 passed by the Co-ordinate Bench, the private parties had been directed to appear before the trial Court/Illaq Magistrate on 30.07.2021 for recording their statements in respect of the compromise. In compliance of the said order, learned Sub-Divisional Judicial Magistrate, Khadur Sahib, recorded their (parties') statements and has submitted the report (which is already available on the file) mentioning therein that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence and four (04) persons, i.e. the petitioners, have been arraigned as accused in the subject FIR and none of them has been declared a proclaimed offender nor any other FIR has been registered against them. The statements of both the parties as well as of the investigating officer named Nirmal Singh 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 present 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

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as well as the observations as made by the Apex Court in *Gian Singh Versus State of Punjab and another (2012) 4 RCR (Criminal) 543*, the FIR bearing No.2 dated 07.01.2019 registered at Police Station Goindwal Sahib, District Tarn Taran, under Sections 323, 324 read with Section 34 IPC (wherein the offence under Section 201 IPC is stated to have been added later-on), as well as the subsequent proceedings arising therefrom (if any), are hereby quashed.

The petition in hand stands allowed accordingly.

13.12.2021
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(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>