

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.229

CRM-M No.31224 of 2021

Date of Decision: 09th November, 2021.

Tara Singh

...Petitioner

Versus

State of Punjab & Another

...Respondents

(Heard through Video-Conferencing)

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

Present: Mr. Rahul Arora, Advocate for
Mr. Armaan Gagneja, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Gunjeet Brar, Advocate,
for respondent No.2.

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MEENAKSHI I. MEHTA, J.

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.0188 dated 05.12.2019 registered at Police Station Sadar, District Sri Muktsar Sahib, under Sections 452, 295-A IPC as well as all the consequential proceedings arising therefrom, while averring that the parties have arrived at a compromise (Annexure P-2) qua their dispute culminating in 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 in his

house, the petitioner came there and gave him fist blows and also pulled his beard.

Vide the order dated 30.09.2021 passed by the Co-ordinate Bench, the parties had been directed to appear before the Illaqa Magistrate/trial Court on 07.10.2021 for recording their statements in respect of the compromise/settlement. In pursuance of this order, learned Additional Chief Judicial Magistrate, Sri Muktsar Sahib, recorded their (parties') statements and has submitted his report (which has already been placed on the file) mentioning therein that there are only one accused, i.e the petitioner and one complainant-aggrieved person, i.e respondent No.2 in the said FIR and the compromise effected between the parties appears to be genuine, voluntary and without any coercion or undue influence and that as per the statement of the Investigating Officer named ASI Amarjit Singh, the accused, i.e the petitioner, is neither absconding nor has been declared a proclaimed offender in this case and he is also not involved in any other criminal case. The statements of both the parties and of the above-named Investigating Officer, have also been annexed with the said report and a perusal thereof reveals that the petitioner and respondent No.2-complainant have categorically stated therein that they have entered into the said compromise voluntarily, out of their free will without any kind of pressure, coercion or undue influence.

I have heard learned counsel appearing 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.0188 dated 05.12.2019 registered at Police Station Sadar, District Sri Muktsar Sahib, under Sections 452, 295-A IPC as well as all the consequential 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