

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

**CRM-M No.36469 of 2021
Date of Decision:-13.12.2021**

Naresh Kumar @ Pandit

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

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

Present:- Mr. Avtar Singh Khinda, Advocate
for the petitioner.

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

Mr. Paras Khindri, Advocate
for respondent No.2-complainant.

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.0095 dated 18.04.2021 registered at Police Station City Kapurthala, District Kapurthala, under Sections 323, 452, 506 IPC as well as all 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 petitioner abused and also caused

injuries to respondent No.2-complainant by giving him fist-blows.

Vide the order dated 03.09.2021 passed by this Court, the parties had been directed to appear before the Illaqa Magistrate/trial Court on 11.11.2021 for recording their statements in respect of the compromise. In compliance of the said order, learned Chief Judicial Magistrate, Kapurthala, recorded their (parties') statements and has submitted the report (which is already available on the file) mentioning therein that there is only one accused, i.e the petitioner and one complainant-injured, i.e respondent No.2, in the present case and the petitioner has not been declared a proclaimed offender and no other FIR has been registered against him and the compromise between the parties is genuine, voluntary and without any coercion or undue influence. The copies of the statements of both the parties as well as of the investigating officer named Naveen Kumar ASI have also been annexed with the said report.

I have heard learned counsel for the petitioner as well as learned State counsel and learned counsel for respondent No.2-complainant 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 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 Versus State of Punjab and another (2012) 4 RCR (Criminal) 543***, the FIR bearing No.0095 dated 18.04.2021 registered at Police Station City Kapurthala, District Kapurthala, under Sections 323, 452, 506 IPC as well as the subsequent proceedings arising therefrom (if any) are hereby quashed.

The petition in hand stands allowed accordingly.

December 13, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*