

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

CRM-M No.3336 of 2021

Date of Decision: 02.09.2022

Dia Ram @ Daya Ram and others

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

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

Present:- Ms. Sukhveer Kaur, Advocate
for the petitioners.

Mr. Amit Shukla, AAG, Punjab
for respondent No.1-State.

Mr. Ravinder Pankaj, Advocate
for respondents No.2 to 4.

MEENAKSHI I. MEHTA, J.

By way of the instant petition, the petitioners herein have invoked the jurisdiction of this Court under Section 482 Cr.P.C. for seeking the quashing of the FIR bearing No.0145 dated 21.08.2017 registered at Police Station Dinanagar, District Gurdaspur, under Sections 323, 324, 452, 148 and 149 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.

2. Shorn and short of unnecessary details, the allegations, as levelled by informant-respondent No.2 Kamaljit @ Bunty in the subject FIR are that on 21.08.2017, the petitioners, along-with their co-accused

Lucky son of Charan Dass, had caused injuries to him (informant) as well as to respondent No.3 Tripta and respondent No.4 Gurmeet Chand, with weapons like *Datar*, *Dang* (long thick wooden stick) etc.

3. Vide the order dated 25.01.2021 as passed by the Co-Ordinate Bench, the parties were directed to appear before Illaqa Magistrate/Duty Magistrate concerned on 05.02.2021 for recording their statements in respect of the compromise. In compliance of the afore-said order, learned Judicial Magistrate 1st Class Gurdaspur, recorded their (parties') statements and has submitted the report (which is already available on the file) mentioning therein that the compromise effected between the petitioners and the private respondents is genuine, voluntary and without any coercion or undue influence and besides the petitioners, one Lucky @ Amit son of Charan Dass had also been arraigned in the above-said FIR but he has expired during the pendency of the trial and the proceedings against him stood abated vide the order dated 08.02.2019 and none of the petitioners has been declared proclaimed offender. Separate statements of respondents No.2 to 4 and the Investigating Officer named ASI Raman Kumar as well as the joint statement of the petitioners have also been annexed with the afore-said report.

4. I have heard learned counsel for the petitioners as well as learned State counsel and learned counsel for respondents No.2 to 4 in the present petition and have also perused the file thoroughly.

5. 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.

6. 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.0145 dated 21.08.2017 registered at Police Station Dinanagar, District Gurdaspur, under Sections 323, 324, 452, 148 and 149 IPC as well as the subsequent proceedings arising therefrom (if any) are hereby quashed.

7. The petition in hand stands allowed accordingly.

September 02, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

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