

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-6860-2022

Date of Decision: 30.08.2022

RAVI KUMAR AND ANOTHER  
VS.

... PETITIONERS

STATE OF PUNJAB AND OTHERS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Naveen Bawa, Advocate  
for the petitioners.

Mr. Harpreet Singh, Additional A.G.Punjab.

Mr. Vishnu Dutta, Advocate  
for respondents No. 2 to 5.

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**VIVEK PURI, J.(ORAL)**

Through instant petition, the petitioners are seeking to quash the FIR No.154 dated 19.08.2019 under Sections 323, 341 and 354 IPC registered at Police Station Dugri, District Ludhiana and all the consequential proceedings arising therefrom on the basis of compromise.

Briefly, the allegations as put forth in the FIR are to the effect that on 16.08.2019, the petitioners came in a car and suddenly stopped the same in front of the bus. The petitioners alongwith other assailants boarded the bus and they inflicted injuries on the person of the private respondents and indulged in obscene activities with respondents No. 4 and 5.

On 11.05.2022, the parties were directed to get their statements recorded before the learned Illaqa Magistrate/trial Court.

In compliance of the order dated 11.05.2022, the statements of the parties have been recorded and the learned Judicial Magistrate 1<sup>st</sup> Class, Ludhiana has sent the report and the relevant portion whereof is reproduced here-in-below:-

*“As per the statements of complainants Ravi Kumar, Rahul Kumar, Kanta and Raj Kali and accused Ravi Kumar son of Satpal and Vicky Birla @ Sonu*

*Birla recorded by the undersigned, both of them have echoed the version of having arrived at voluntary compromise with free will without any pressure, coercion or undue influence. Complainants Ravi Kumar, Rahul Kumar, Kanta and Raj Kali even mentioned in their joint statement that they has no objection if FIR in question is quashed by Hon'ble High Court. The original statements of the parties recorded by the undersigned are being sent herewith.*

*Accused Ravi Kumar son of Satpal and Vicky Birla @ Sonu Birla have also mentioned in their joint statement that no proclamation proceedings are pending against any accused and they have not been declared as proclaimed offender in any case till date. They also mentioned that no accused is declared as PO in this case. Even investigating officer ASI Sunil Kumar was also summoned by this court, who also gave his separate statement that none of the accused is declared as proclaimed offender in this case.*

*On the basis of statements made by the parties appearing before me, the compromise on the face of it appears to be genuine one having been arrived at by the parties with free will without any pressure or coercion. There is nothing on the record to doubt the genuineness of the compromise so arrived at between the parties.”*

Learned counsel for the petitioners contend that the petitioners and private respondents are the devotees of Guga Marhi, District Hanumangarh, where, the private respondents were proceeding on the day of occurrence for paying obeisance. He further contends that an amicable settlement will help in maintaining cordial relations between the parties in future.

Learned counsel for respondent No.2 has not disputed the aforesaid factual aspect(s) and further stated that he has no objection if the FIR is quashed.

After hearing learned counsel for the parties and going through the

record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, upheld by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.154 dated 19.08.2019 under Sections 323, 341 and 354 IPC registered at Police Station Dugri, District Ludhiana and all the consequential proceedings arising therefrom on the basis of compromise are ordered to be quashed, however, qua the petitioners only.

Resultantly, with the above-said observations made, the instant petition stands allowed.

30.08.2022  
smriti

(VIVEK PURI)  
JUDGE

|                           |          |
|---------------------------|----------|
| Whether speaking/reasoned | : Yes/No |
| Whether Reportable        | : Yes/No |