

CRM-M-6531-2020

Date of decision: 12.09.2022

KARAN JUNEJA AND ORS.

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Shivraj Angi, Advocate for the petitioners.

**Mr. Hittan Nehra, Addl. AG, Punjab.**Mr.Rhythem Bajaj, Advocate, for  
Ms. Navsangeet Sidhu, Advocate  
for the respondent No.2.

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VIVEK PURI,J. (ORAL)

Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.28 dated 26.03.2019 under Sections 452/354/354-D/148/149 IPC, 1860 (Section 323 IPC added later on) registered at Police Station City-II Abohar, District Fazilka and all the consequential proceedings arising therefrom, on the basis of compromise.

Briefly, the FIR has been registered on the basis of the statement of respondent No.2 alleging that petitioner No.1 had been stalking her for a period of about 2-3 months. On 25.03.2019, the petitioners entered the house of respondent Nos.2 to 4 and inflicted injuries upon them.

On 13.02.2020, parties were directed to appear before the Trial Court/Illaq Magistrate and get their statements recorded with regard to the compromise arrived at between them.

The trial Court was directed to record the statements of all the concerned and send its report regarding genuineness and voluntary nature of the

compromise.

In compliance of the order dated 13.02.2020, learned Judicial Magistrate 1<sup>st</sup> Class, Abohar has recorded the statements of the parties and submitted the report, the relevant para whereof reads as under:-

- “(i) Number of persons arrayed as accused in FIR:4.*
- (ii) Whether any accused is proclaimed offender: No.*
- (iii) The stage of trial/proceedings: Investigation (challan has not been presented till date).*
- (iv) Whether any compromise is genuine, voluntary and without any coercion or undue influence: The compromise is genuine, voluntary and without any coercion or undue influence.”*

Learned counsel for the petitioners contend that the dispute has been amicably settled between the parties in terms of compromise dated 05.02.2020 (Annexure P-3) and the amicable settlement will help in maintaining the cordial relations between them in future.

Learned counsel for respondent No.2 states that he has no objection if FIR is quashed.

After hearing the 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.28 dated 26.03.2019 under Sections 452/354/354-D/148/149 IPC, 1860 (Section 323 IPC added later on) registered at Police Station City-II Abohar, District Fazilka and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.

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

12.09.2022  
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(VIVEK PURI)  
JUDGE

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