

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(224)

CRM-M-13401-2021
Date of Decision:- 31.10.2022

Gagandeep Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Prabhdeep Singh Bhandari, Advocate for the petitioner.

Mr. Vipin Pal Yadav, Addl. A.G., Punjab
for State-respondent No.1.

Mr. Navraj S. Mahal, Advocate for
Mr. Gurinder Singh, Advocate for complainant-respondent No.2.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0005 dated 09.01.2021, registered for offences under Sections 457, 354 and 506 of the Indian Penal Code, 1860, at Police Station Dera Baba Nanak, District Batala, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 09.03.2021, Annexure P-2, arrived at between the parties.

Counsel for the petitioner submits that accused-petitioner and complainant-respondent No.2 are neighbours and the FIR, Annexure P-1, has been registered due to misunderstanding and animosity between them. He submits that the dispute, which is purely private in nature, has been

settled by virtue of compromise, Annexure P-2, and the parties have appeared before the Trial Court and recorded their statements in support of the compromise.

Upon instructions received from ASI, Rajwinder, State counsel submits that the matter is under investigation.

Counsel representing complainant-respondent No.2 has admitted the factum of compromise and submits that he does not have any objection in case the FIR, Annexure P-1, is quashed.

Heard counsel for the parties.

Vide order dated 23.03.2021, this Court directed the parties to appear before the Trial Court/Area Magistrate for getting their statements recorded and a report was called for, which has been received and its relevant extract is as under:-

- “1. As per the statement of the I.O., P.O. proceedings are not pending against any of the party.
2. After considering the statements of the parties as well as the statement of I.O., this Court is of the view that the compromise arrived between the parties is genuine, voluntary and without any coercion and undue influence.”

A perusal of the allegations levelled in the FIR, Annexure P-1, shows that the dispute is personal and does not have any impact on the society. The parties being co-villagers have amicably settled the dispute and have decided to lead a peaceful and harmonious life.

Keeping in view the above development, report of the Trial Court and the judgment of Supreme Court in ***Shiji @ Pappu and others Versus Radhika and another AIR 2012 SC 499***, this Court is of the view that

continuation of the criminal proceedings would not serve any purpose as because of the settlement, possibility of conviction of the accused is remote.

Accordingly, the petition is allowed. FIR No.0005 dated 09.01.2021, registered for offences under Sections 457, 354 and 506 of the Indian Penal Code, 1860, at Police Station Dera Baba Nanak, District Batala, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

(SUVIR SEHGAL)
JUDGE

31.10.2022
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No