

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

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CRM-M-15115 of 2022
Date of decision : 31.08.2022

Paramjit Singh alias Master Paramjeet Singh and others
.....**Petitioners**

VERSUS

State of Punjab and another**Respondents**

CORAM : HON'BLE MR. JUSTICE VIVEK PURI

Present:- Mr. G. S. Aulakh, Advocate, for the petitioners.

Mr. Hittan Nehra, Addl. A. G., Punjab.

Mr. Lalit Goyal, Advocate, for respondent No.2.

VIVEK PURI, J. (Oral)

Through instant petition, the petitioners are seeking to quash the FIR No.0026 dated 24.02.2022 under Sections 354, 323, 34 IPC registered at Police Station Nehianwala, District Bathinda, on the basis of compromise dated 11.03.2022 (Annexure P-2).

Briefly, the FIR has been registered on the allegations that on 23.02.2022, the petitioners had inflicted injuries and outraged the modesty of respondent No.2.

On 08.04.2022, the parties were directed to get their statements recorded before the learned Illaqa Magistrate/trial Court.

In compliance of the order dated 08.04.2022, the statements of the parties have been recorded and the learned Judicial Magistrate 1st Class, Bathinda, has sent the report and the relevant portion whereof is reproduced here-in-below:-

“(i).There are total four accused in the present case namely Paramjit Singh @ Master Paramjeet Singh, Baljit Kaur, Gurpreet Singh and Harpreet Singh.

- (ii) None of the accused is declared as proclaimed offender.*
- (iii) That the compromise is genuine, voluntary and without any coercion or undue influence.*
- (iv) There is no other case pending against the accused persons.*
- (v) That there is only one victim/complainant namely Gurpreet Kaur.*

Learned counsel for the petitioners contends that the dispute has been amicably settled between the parties in terms of compromise deed dated 11.03.2022 (Annexure P-2) Respondent No.2 though a permanent resident of Faridkot but is residing in the neighbourhood of the petitioners in Bathinda where the occurrence had taken place. In the event, the dispute have amicably settled between the parties, it will help in maintaining cordial relations between them in future.

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.0026 dated 24.02.2022 under Sections 354, 323, 34 IPC registered at Police Station Nehianwala, District Bathinda, is ordered to be quashed, however, qua the petitioners only.

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

(VIVEK PURI)
JUDGE

31.08.2022
anil

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