

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

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**CRM-M No.25525 of 2021
Date of Decision: 11.10.2022**

Sukhbir Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

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

Present:- Mr. A.K. Khunger, Advocate
for the petitioners.

Mr. Digvijay Nagpal, AAG, Punjab
for respondent No.1-State.

Mr. Kuljit Singh, Advocate for
Mr. Harpal Singh, Advocate
for respondent No.2.

MEENAKSHI I. MEHTA, J.(ORAL)

By way of the instant petition, the petitioners have invoked the jurisdiction of this Court under Section 482 Cr.P.C for seeking the quashing of the FIR bearing No.0047 dated 21.04.2021 registered at Police Station Khuian Sarwar, District Fazilka, under Sections 452, 323 read with Section 34 IPC as well as all the consequent proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute, leading to the registration of the said FIR.

2. Shorn and short of unnecessary details, the allegations, as

levelled by informant-injured Dalbir Kaur in the subject FIR, are that both the petitioners trespassed into her house and caused injuries to her by giving '*Danda*' and fist blows.

3. Vide the order dated 21.09.2021 as passed by the Co-ordinate Bench, both the parties had been directed to appear before learned Illaqa Magistrate/trial Court for recording their statements in respect of the said compromise. In compliance of the above-said order, learned Judicial Magistrate 1st Class, Abohar, recorded their (parties') statements and has submitted her report (which is already available on the file), mentioning therein that there are two accused persons, i.e the petitioners and only one complainant, i.e respondent No.2, in this case and the petitioners have not been declared proclaimed offenders and no other criminal case is pending against them and that the compromise as arrived at between the parties is valid, genuine, voluntary and has been affected without any coercion or undue influence. Separate statements of respondent No.2-complainant, both the petitioners as well as ASI Balvir Singh, the Investigating Officer of the case, have been annexed with the afore-mentioned report.

4. I have heard learned counsel for the petitioners as well as learned State counsel and learned counsel appearing for respondent No.2 in the present petition and have also perused the file carefully.

5. The above-said compromise has been affected 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 afore-discussed facts and circumstances and also 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.0047 dated 21.04.2021 registered at Police Station Khuian Sarwar, District Fazilka, under Sections 452, 323 read with Section 34 IPC as well as all the consequential proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

11.10.2022
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*
Whether Reportable: *No*