

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

CRM-M No.28934 of 2021

Date of Decision: 19th September, 2022

Jatinder Singh @ Happy & Others

....Petitioners

Versus

State of Punjab & Others

....Respondents

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

Present :- Mr. Sandeep Kumar, Advocate,
for the petitioners.

Ms. Ramta Chowdhary, DAG, Punjab,
for respondent No.1-State.

Mr. Sukhdev Singh, Advocate,
for respondents No.2 & 3.

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MEENAKSHI I. MEHTA, J.(ORAL)

By way of the instant petition, the petitioners herein have invoked the jurisdiction of this Court under Section 482 Cr.P.C for seeking the quashing of the FIR bearing No.102 dated 19.05.2021 registered at Police Station Sadar Kapurthala, District Kapurthala, under Sections 341, 323, 324, 148, 149 IPC (wherein the offence under Section 326 IPC is stated to have been added later-on vide DDR No.29 dated 26.05.2021) and also the proceedings arisen subsequent thereto, while averring that the parties have arrived at a compromise qua their dispute culminating in the registration of the said FIR.

2. Shorn and short of unnecessary details, the allegations, as levelled against the petitioners in the subject FIR, are that they had formed an unlawful assembly and had caused the injuries to informant-respondent No.2-Kulwinder Singh and also to respondent No.3-Beyant Singh, with the weapons like *Datar*, baseball bat etc.

3. Vide the order dated 25.08.2021 as passed by the Co-ordinate Bench, the petitioners as well as respondents No.2 & 3 were directed to appear before the Area Magistrate/trial Court for recording their statements in respect of the compromise. In compliance of the afore-said order, learned Additional Chief Judicial Magistrate, Kapurthala, recorded their (parties') statements and has submitted her report (which is already available on the file), mentioning therein that the petitioners as well as respondents No.2 and 3 had entered into the compromise voluntarily and without any pressure and the compromise is a genuine one and there is no other person involved in the occurrence who is not the party to the present petition and whose consent would be required for the compromise. The copies of the statements of the petitioners as well as respondents No.2 and 3 have also been annexed with the said report.

4. Short reply has already been filed on behalf of respondent No.1-State, by way of the affidavit of the Deputy Superintendent of Police, Sub Division Kapurthala and the same is taken on the record and it has categorically been deposed in Para No.12 therein that no other criminal case has been registered against the petitioners.

5. I have heard learned counsel for the petitioners as well as

learned State counsel and learned counsel for respondents No.2 & 3 in the present petition and have also perused the file thoroughly.

6. The said compromise has been effected 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.

7. Keeping in view all the above-discussed facts as well as 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.102 dated 19.05.2021 registered at Police Station Sadar Kapurthala, District Kapurthala, under Sections 341, 323, 324, 148, 149 IPC (wherein the offence under Section 326 IPC is stated to have been added later-on vide DDR No.29 dated 26.05.2021) and all the subsequent proceedings arising therefrom (if any) are hereby quashed.

8. The petition in hand stands allowed accordingly.

19.09.2022
seema

(MEENAKSHI I. MEHTA)
JUDGE

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