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

CRM-M-38621-2021
Date of Decision: 18.04.2022

KARANDEEP SINGH AND OTHERS **... PETITIONERS**

V/S

STATE OF PUNJAB AND ANOTHER **... RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Armaan Gagneja, Advocate for the petitioners.

Ms. Ruchika Sabherwal, AAG Punjab.

Mr. N.S.Gill, Advocate for respondent No.2.

* * *

VIVEK PURI, J. (ORAL)

Present petition under Section 482 Cr.P.C. is for quashing of FIR No. 214 dated 18.05.2021 registered under Sections 354, 506, 323 Indian Penal Code at Police Station Patran, District Patiala and all the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

Briefly, the FIR has been registered on the basis of the statement made to the Police by respondent No.2 alleging that on 09.05.2021, at about 7:15 P.M., the petitioners came in a car while she was proceeding on a bicycle. The respondent No.2 was waylaid by the petitioners and they outraged her modesty. Manish Kumar had intervened and respondent No.2 was rescued.

On 20.09.2021 the parties were directed to appear before the Trial Court and get their statements recorded with regard to the compromise arrived at between them. The Trial Court was directed to record the

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statements of all the concerned and send its report regarding genuineness of the compromise.

In compliance of the order dated 20.09.2021, learned Judicial Magistrate First Class, Samana has recorded the statements of the parties and submitted his report, the relevant portion whereof reads as under:-

> *"*After going through the statements given by complainant, accused persons and SI Birbal Sharma in the Court, the following report as desired by the Hon'ble High Court is submitted:
>
> i) Compromise between the parties is genuine and it is voluntarily effected between the parties with their free consent and without any pressure, threat, coercion or undue influence from any quarter;
>
> ii) No PO proceedings are pending against any of the party. *"*

Learned counsel for the petitioners contend that the dispute has been amicably settled between the parties in terms of the compromise, Annexure P-2. The compromise will help in maintaining the cordial relations between the parties in future. Learned counsel for respondent No.2 has acknowledged this fact and has stated that he has no objection if the aforementioned FIR is quashed.

Learned State counsel, on instructions of ASI Satpal Singh, has pointed out that the statement of Manish Kumar was also recorded during the investigation wherein he has denied the fact of any scuffle and receipt of any injuries by him.

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

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at a settlement, out of the Court, by way of compromise (Annexure P-2). The compromise is without any pressure and is 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 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.***

Accordingly, the present petition is allowed and FIR No. 214 dated 18.05.2021 registered under Sections 354, 506, 323 Indian Penal Code at Police Station Patran, District Patiala and all the consequential proceedings arising therefrom are quashed qua the petitioners only.

18.04.2022 (**VIVEK PURI**)
Janki **JUDGE**

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

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