

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

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**CRM-M No.51865 of 2021 (O&M)
Date of Decision: 01.09.2022**

Gurpreet Singh @ Kala and another

...Petitioners

Versus

State of Punjab and others

...Respondents

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

Present:- Mr. Manoj K. Sharma, Advocate
for the petitioners.

Mr. Amit Shukla, AAG, Punjab
for respondent No.1-State.

Mr. Parminder Singh Kanwar, Advocate
for respondents No.2 and 3.

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MEENAKSHI I. MEHTA, J.

The petitioners herein seek the quashing of the FIR bearing No.0139 dated 19.07.2021 registered at Police Station City Hoshiarpur, District Hoshiarpur, under Sections 323, 324, 452 read with Section 34 IPC as well as all the subsequent 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 Jaspal Singh @ Happy in the subject FIR, are that both the petitioners trespassed in to his house and they caused injuries to him and also to his brother named Amritpal with 'Sword' etc.

3. Vide the order dated 28.02.2022 as passed by this Court, the private parties had been directed to appear before learned Illaqa Magistrate/ trial Court on 05.05.2022 for recording their statements in respect of the said compromise. In compliance of the afore-said order, learned Chief Judicial Magistrate, Hoshiarpur, recorded their (parties') statements and has submitted his report (which is already available on the file) while mentioning therein that the compromise effected between the petitioners and respondents No.2 and 3 is genuine and voluntary and total two persons, i.e the petitioners, have been arraigned in the FIR and as reported by the Investigating Officer named ASI Bhajan Lal, none of them (petitioners) has been declared a proclaimed offender and no other criminal case is pending against them and respondent No.2 is the complainant and respondent No.3 is the victim/aggrieved person in this case. Separate statements of the complainant, the injured and the afore-named Investigating Officer and the joint statement of both the petitioners, have also been annexed with the above-mentioned report.

4. I have heard learned counsel for the petitioners as well as learned State counsel and learned counsel for respondents No.2 and 3 in the present petition and have also perused the file thoroughly.

5. The afore-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.

6. Keeping in view the above-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. 0139 dated 19.07.2021 registered at Police Station City Hoshiarpur, District Hoshiarpur, under Sections 323, 324, 452 read with Section 34 IPC as well as all the subsequent proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

01.09.2022
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(MEENAKSHI I. MEHTA)
JUDGE

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