

263 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-872-2023 (O&M)
DATE OF DECISION:-10.04.2023

Rajesh Kumar and others

...Petitioners.

VS.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Raman Rekhi, Advocate for
Mr. Rajat Malhotra, Advocate,
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab,
for respondent No.1-State.

Mr. Lovish Rattan, Advocate for respondent No.2.

HARKESH MANUJA, J.

By way of present petition filed under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.0190 dated 15.07.2021, under Sections 307, 324, 323, 34 IPC (Section 307 IPC deleted later on), registered at Police Station Division No.2, District Police Commissionerate Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 22.12.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners gave injuries to the complainant with their respective weapons.

3. In pursuance to an order dated 09.01.2023 passed by this Court,

whereby the parties were directed to appear before the trial Court for getting their statements recorded, a report dated 23.02.2023 has been received from the concerned court stating that the compromise on the face of it appears to be genuine one having been arrived at by the parties with free will without any pressure or coercion. No accused has been declared as PO.

4. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the directions issued by this Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

6. Thus, in view of the aforesaid report accompanied by statements of both the parties as well as keeping in mind the law laid down in the

aforementioned judgments, FIR No.0190 dated 15.07.2021, under Sections 307, 324, 323, 34 IPC (Section 307 IPC deleted later on), registered at Police Station Division No.2, District Police Commissionerate Ludhiana (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed, subject to payment of costs of Rs.10,000/- to be deposited by the petitioners with the Punjab and Haryana High Court Bar Association, within a period of two weeks from today.

10.04.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No