

CRM-M-2069-2023

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259 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-2069-2023

DATE OF DECISION:-27.04.2023

Dilbahar @ Jyoti and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. N.S. Khandola, Advocate for the petitioners.

Mr. Vinod Kumar Gupta, AAG, Punjab.

Mr. Ashok Kumar Singla, Advocate for respondent No.2.

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**HARKESH MANUJA, J.**

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.46, dated 05.07.2019, under Sections 324, 323, 506, 148 and 149 IPC (challan presented under Section 324, 323, 506, 34 and 201 IPC), registered at Police Station Bilga, District Jalandhar (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 05.01.2023 (Annexure P-2).

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

3. In pursuance to order dated 16.01.2023 and 27.02.2023 passed by this Court, whereby the parties were directed to appear before the trial court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 05.04.2023 has been received from the concerned court, stating that the compromise has been effected between

the respondent-complainant and accused-petitioner is voluntarily and genuine and same is without any pressure or coercion. There are total four persons arrayed as accused in the FIR, however, Bhupinder Singh @ Bhinda has been declared innocent. No accused has been declared as proclaimed offender.

4. Thus 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; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. 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 direction issued by the 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

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aforementioned judgments, the FIR No.46, dated 05.07.2019, under Sections 324, 323, 506, 148 and 149 IPC (challan presented under Section 324, 323, 506, 34 and 201 IPC), registered at Police Station Bilga, District Jalandhar (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 with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

27.04.2023  
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(HARKESH MANUJA)  
JUDGE

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