

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

(254)

CRM-M-3025-2023

Date of Decision: 10.04.2023

Jorawar Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. G. S. Randhawa, Advocate, for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

Mr. D. K. Bartia, Advocate, for
Mr. J. S. Mahal, Advocate, for the complainant.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioner prays for quashing of FIR No.049 dated 05.05.2020, registered under Sections 324, 323 IPC (Section 326 IPC added later on) at Police Station Dera Baba Nanak, Police District Batala District Gurdaspur, Punjab (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 02.01.2023 (**Annexure P-2**).

2. In the present case, due to some altercation, petitioner has given beatings to the complainant, resulting into the registration of present FIR. Though, the complainant has unfortunately expired on 03.05.2022, however, his legal heirs have entered into the settlement with the petitioner.

3. In pursuance to an order dated 01.03.2023 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

court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or under influence. There is no other accused except the present petitioner and respondents No.2(i) to 2(iv) being the legal heirs of the deceased complainant-Angrej Singh representing his cause. No accused has been declared as proclaimed offender. The stage of trial was fixed for evidence of prosecution.

4. Learned counsel for the petitioner submits that once, the compromise has been arrived at between the parties without any pressure and the legal heirs of the deceased respondent No.2-Angrej Singh, have no objection as regards quashing of FIR as well as other subsequent proceedings arising out of the same against the petitioner, the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He further submits that 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. On the other hand learned State counsel submits that injuries have been inflicted upon the person of victim.

6. Having heard learned counsel for the parties, they having settled their dispute so as to live peacefully 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 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.

7. 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 judgment, the instant petition is allowed and FIR No.049 dated 05.05.2020, registered under Sections 324, 323 IPC (Section 326 IPC added later on) at Police Station Dera Baba Nanak, Police District Batala District Gurdaspur, Punjab (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed.

(HARKESH MANUJA)
JUDGE

10.04.2023
anil

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