

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(247/1)

CRM-M-3834-2023 (O&M)
Date of Decision: 10.05.2023

Ranjit Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

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

Mr. Amit Shukla, AAG, Punjab.

Mr. G. S. Bajwa, Advocate, for respondent No.2.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioner prays for quashing of FIR No.89 dated 13.08.2016, registered under Sections 452, 323, 324, 506, 148, 149 IPC at Police Station Harike, District Tarn Taran (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise dated 07.01.2023 (Annexure P-2 & P-3).

2. As per the allegations levelled in the FIR, petitioner gave beatings and inflicted injuries to the complainant resulting into the registration of present FIR.

3. In pursuance to an order dated 25.01.2023 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 the compromise arrived at between them. Originally the FIR has been registered against five persons but in the present case other four persons were not arrayed as party except petitioner. A report dated 09.02.2023 with regard to compromise between the

parties has been received in the connected petition i.e. **CRM-M-30728 of 2022** titled as **Harpreet Singh and others Vs. State of Punjab and another**, wherein, two of the co-accused namely Harpreet Singh and Gurjit Singh besides the present petitioner and also the legal heirs of the complainant appeared and made their statement regarding the veracity of the compromise. No accused has been declared as PO in the present petition. There is no other criminal case pending against the petitioner.

4. Thus once, the compromise has been arrived at between the parties without any pressure and legal heirs of respondent No.2 have no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; there does not appear to be any impediment as regards quashing of present FIR qua the petitioner. 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.***

Further, learned counsel for the petitioner, while placing reliance

upon the judgments passed by the Hon'ble Supreme Court in *Jayraj Singh Digvijay Singh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589* and this Court in *Joginder Singh & another Vs. State of Punjab and another*, passed in CRM-M-23739- 2010 decided on 27.04.2011, *Rajinder Singh Vs. State of Punjab & another*, passed in CRM-M- 37395-2016 decided on 16.05.2017 and *Vimal Kalra & others Vs. State of Punjab & another*, passed in CRMM-20355-2022, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

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, the instant petition is allowed and FIR No.89 dated 13.08.2016, registered under Sections 452, 323, 324, 506, 148, 149 IPC at Police Station Harike, District Tarn Taran (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner only.

8. The aforesaid order shall however, be subject to payment of costs of Rs.10,000/- to be deposited by the petitioner 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.

(HARKESH MANUJA)
JUDGE

10.05.2023
anil

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