

263 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5118-2023

DATE OF DECISION:-15.03.2023

Sukhdev Singh and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Amandeep Saini, Advocate,
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. B.S. Bhatia, Advocate for
Mr. R.S. Sekhon, Advocate
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.37 dated 02.04.2019, under Sections 323, 324, 148 and 149 IPC, registered at Police Station Machhiwara, Police District Khanna (Annexure P-1) along with all consequential proceedings arising out of the same, on the basis of compromise dated 19.12.2022 (Annexure P-2).

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

3. In pursuance to an order dated 01.02.2023 passed by this Court, whereby the parties were directed to appear before the trial Court for getting

their statements recorded, a report dated 10.02.2023 has been received from the concerned court stating that the compromise entered into between the parties appears to be genuine and voluntarily and the same appears to have been effected between the parties out of their free will and consent, without any threat or pressure or coercion or undue influence. 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.37 dated 02.04.2019, under Sections 323, 324, 148 and 149 IPC, registered at Police Station Machhiwara, Police District Khanna (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.5,000/- 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.

15.03.2023

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(HARKESH MANUJA)
JUDGE

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