

CRM-M-17472-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

267

CRM-M-17472-2022

Date of decision: 23.08.2023

Patwinder Kumar @ Pattu @ Captain Singh
and others

....Petitioners

V/s

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Ms. Gurpreet Kaur, Advocate for the petitioners.

Mr. Mohit Thakur, AAG Punjab.

Ms. Amandeep Kaur, Advocate, Advocate for respondent No.2.

ARUN MONGA, J. (Oral)

Petitioners seek quashing of FIR No.114 dated 30.06.2017 (Annexure P-1), registered under Sections 323, 324, 452, 148 read with Section 149 IPC, at Police Station, Sadar Tarn Taran, District Tarn Taran and all subsequent proceedings arising therefrom, on the basis of compromise dated 03.11.2021 (Annexure P-2).

2. Since quashing was sought on the basis of compromise, a co-ordinate Bench of this Court vide order dated 09.08.2022 had directed the parties to appear before the *Illaga* Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 08.02.2023 of learned Additional Chief Judicial Magistrate, Tarn Taran, had been received. Report reveals that statements of complainant party i.e. respondent No.2 as also of accused/present petitioner nos.1, 3, 4, 5 herein, were duly recorded. It is opined that a compromise has been arrived

CRM-M-17472-2022

at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.2 and accused/petitioner nos.1, 3, 4, 5 herein, have arrived at a compromise voluntarily and without any coercion. As per the report, petitioner nos. 2-Gurpreet Singh @ Gora and petitioner No.6- Manpreet Singh @ Manna, did not appear to record their statements *qua* compromise.

4. Learned counsel for complainant/respondent No.2 states that she would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled “*Ramgopal and anr. V. The State of Madhya Pradesh*”¹ and a Full Bench decision of this Court in “*Kulwinder Singh and others V. State of Punjab and others*”².

6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

7. Petition is thus allowed only *qua* petitioner nos.1, 3, 4, 5. FIR No.114 dated 30.06.2017 (Annexure P-1) registered under Sections 323, 324, 452, 148 read with Section 149 IPC, at Police Station Sadar Tarn Taran, District Tarn Taran and all subsequent proceedings emanating there from *qua* petitioner no.1- Patwinder Singh @ Pattu @ Captain Singh, petitioner No.3- Kuldeep Singh, petitioner No.4-Kabal Singh and petitioner No.5-Harpreet Singh only stand quashed.

8. The petition *qua* petitioner nos. 2-Gurpreet Singh @ Gora and petitioner No.6- Manpreet Singh @ Manna, is disposed of with liberty to approach

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052

CRM-M-17472-2022

the Court after getting their statements recorded *qua* compromise before the trial Court.

9. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

August 23, 2023
Ajay

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