

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

Sr. No.255

CRM-M-5783-2023 (O&M)
Date of decision : 14.12.2023

Tarsem Singh @ Sema Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

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

Mr. G.S. Sandhu, DAG, Punjab

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

HARPREET KAUR JEEWAN, J. (Oral)

The present petition under Section 482 Cr.P.C. has been filed for quashing of FIR No.179 dated 16.09.2022, under Sections 323, 354-A, 354-B, 506 & 34 IPC, registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib, Punjab on the basis of compromise deed dated 25.01.2023 (Annexure P-2) executed between the parties.

2. Learned counsel for the petitioners *inter alia* contends that the petitioners and the complainant-respondent No.2 have amicably settled the dispute between them and a compromise deed dated 25.01.2023 (Annexure P-2) has also been executed between them.

3. The FIR was registered on the basis of statement of respondent No.2 wherein she alleged that on 16.09.2022 she and her mother were present at the shop of the petitioners and then petitioner No.1 and petitioner No.2 came there and started abusing with them. Respondent No.2 opposed the same and they both got angry and attacked upon them with their respective weapons and gave beatings to them.

4. Thereafter, vide order dated 03.02.2023 passed by the coordinate Bench of this Court, the parties were directed to appear before the trial Court/Duty Magistrate for recording of their statements.

5. In pursuance of the order dated 03.02.2023, report dated 29.03.2023 from Mr. Jatinder Pal Singh, PCS, Addl. Chief Judicial Magistrate, Sri Muktsr Sahib has been received, verifying that the compromise between the parties is without any undue influence or pressure. He has further verified that the FIR was registered only against the petitioners and none of the accused has been declared as proclaimed offender. It is also verified that as per the statement of the investigating officer-ASI Jarnail Singh, no other criminal case is pending against the petitioners.

6. Hon'ble the Full Bench of this Court in **Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal) 1052**, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceedings where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

7. Since the matter has been settled between the parties, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

8. Consequently, the present petition is allowed and FIR No.179 dated 16.09.2022, under Sections 323, 354-A, 354-B, 506 & 34 IPC, registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib, Punjab and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

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

(HARPREET KAUR JEEWAN)
JUDGE

14.12.2023
Ramandeep Singh

Whether speaking / reasoned Yes/No

Whether Reportable Yes/No