

(281) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6908-2023 (O&M)

Date of Decision:13.07.2023

Sukhwinder Singh @ Binder Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Manoj Kumar, Advocate for the petitioner.

Mr. Mohit Thakur, A.A.G. Punjab.

Mr. L.S. Bhullan, Advocate for respondent No.2.

ARUN MONGA, J. (Oral)

Petitioners seeks quashing of FIR No.104 dated 11.08.2022 registered under Sections 323, 341 and 506 of IPC at Police Station Moonak, District Sangrur (Annexure P-1) along with all subsequent proceedings arising therefrom on the basis of compromise dated 29.01.2023 (Annexure P-2).

2. Since quashing was sought on the basis of compromise, this Court on 09.02.2023 had directed the parties to appear before the learned Illaqa/Duty Magistrate for recording their statements in support of the compromise. A veracity report was called for.

3. Report dated 02.03.2023 of learned Sub-Divisional Judicial Magistrate, Moonak, Sangrur, has been received. It reveals that the statement of complainant i.e. respondent No.2 as also of accused/present petitioner herein, were duly recorded. It is opined by learned Sub Divisional Judicial Magistrate that the compromise has been arrived 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 have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for the complainant/respondent No.2 states that he 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 another vs. The State of Madhya Pradesh¹ and a Full Bench decision of this Court in Kulwinder Singh and others vs. State of Punjab and others².

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 on the basis of impugned FIR.

7. Petition is thus allowed. FIR No.104 dated 11.08.2022 registered under Sections 323, 341 and 506 of IPC at Police Station Moonak, District Sangrur (Annexure P-1) along with all subsequent proceedings arising therefrom stand quashed.

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

(ARUN MONGA)
JUDGE

13.07.2023
rajeev/Sachin M.

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No