

CRM-M-6862-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-6862-2023 (O&M)

Date of decision: October 07, 2023

Joginder Singh and others

....Petitioners

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Lakshay Bector, Advocate for petitioners.

Mr. Dhruv Dayal, Additional AG Punjab.

Ms. Taami Dhull, Advocate for respondent No.2.

ARUN MONGA, J. (ORAL)

Petition herein is under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') seeking quashing of FIR No.39 dated 07.06.2019, under Sections 323, 324, 506 read with Section 34 of the Indian Penal Code, 1860 (for short 'IPC') (Section 326 of IPC added later on), registered at Arif Ke, Police Station in Ferozepur, on the basis of compromise dated 19.10.2022 (Annexure P-2), which is stated to have been arrived at between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 09.02.2023/ 09.08.2023 had directed the parties to appear before the trial Court/ *Illaga* Magistrate for recording of their statements in support of the compromise. A veracity report was also called for.

3. Placed on record is a report dated 05.10.2023 of learned Judicial Magistrate 1st Class, Ferozepur. A perusal of the same would reveal that the statements of the complainant /respondent No.2 as also of the accused/present petitioners herein have been duly recorded and it has been opined that a compromise has been arrived and the same is genuine and is a voluntary act of the parties without their being any sort of pressure or coercion from any corner. The report is accompanied by the statements of the parties which were duly recorded.

4. Learned counsel appearing on behalf of respondent No.2 also makes a statement that the compromise having been effected, she would have no objection to the quashing of the 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. Adverting to the facts of the present case, it is apparent that compromise has been arrived at between the parties and the same is genuine and without their being any sort of pressure or coercion from any corner.
7. It would thus be 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 the impugned FIR.
8. For the reasons recorded above, the present petition is allowed. FIR No.39 dated 07.06.2019, under Sections 323, 324, 506 read with Section 34 of IPC (Section 326 of IPC added later on), registered at Arif Ke, Police Station in Ferozepur, on the basis of compromise dated 19.10.2022 (Annexure P-2) and all subsequent proceedings *qua* the petitioners, stand quashed.
9. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

October 07, 2023
mahavir

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

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052