

JASPREET RAI ALIAS MONEY AND OTHERS

...PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Satnam Singh Thakur, Advocate for the petitioners.

Ms. Ruchika Sabherwal, DAG, Punjab.

Mr. Anshul Sharma, Advocate for respondent No. 2 and 3.

VIVEK PURI, J. (ORAL)

1. Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.127 dated 26.11.2022 under Sections 323, 325, 452, 148, 149, 506 IPC, registered at Police Station Mehtiana and all the consequential proceedings arising therefrom, on the basis of compromise.
2. On 15.03.2023, parties were directed to appear before the Trial Court/Illaq Magistrate and get their statements recorded with regard to the compromise arrived at between them.
3. The trial Court was directed to record the statements of all the concerned and send its report regarding genuineness and voluntary nature of the compromise.
4. In compliance of the order dated 20.02.2023, learned Judicial Magistrate First Class, Hoshiarpur has recorded the statements of the parties and submitted the report, the relevant para whereof reads as under:-

1.	Number of persons arrayed as accused in FIR	There are only three accused arrayed in the FIR i.e. accused/petitioners Jaspreet Rai @ Money, Gurdeep Rai @ Gaurav Jaskaran.
2	Whether any of the accused has been declared a proclaimed offender	None of the accused has been declared as proclaimed offender
3	Whether the compromise so arrived at between the parties is genuine, voluntary and without any coercion and undue influence	Compromise is genuine voluntary and without any coercion or undue influence.
4	Whether the accused persons are involved in any other FIR or not	None of the accused involved in any other FIR
5	As to how many victims complainants are there in the FIR	There are two victims in the present case i.e. complainant/ respondent No.2 Surjit Singh and Varinder Singh/ injured and both of them had suffered injuries.

5. Learned counsel for the petitioners contend that injuries have been allegedly caused by a blunt weapon and none of the injured have suffered any disability. The dispute has been amicably settled between the parties in terms of compromise dated 04.02.2023 (Annexure P-2). The parties are the residents of the same locality and the amicable settlement will help in maintaining **cordial** relations between them in future.

6. Learned counsel for respondent No.2 and 3 states that he has no objection if FIR is quashed.

7. After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

8. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute has been sought to be amicably settled. Consequently, a deserving case is made out where

the court should exercise the power to secure the ends of justice.

9. For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, upheld by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*.

10. Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.127 dated 26.11.2022 under Sections 323, 325, 452, 148, 149, 506 IPC, registered at Police Station Mehtiana and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.

11. Resultantly, with the above-said observations made, the instant petition stands allowed.

25.04.2023

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(VIVEK PURI)
JUDGE

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