

250 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-10226-2022

DATE OF DECISION:-08.02.2023

Komal Preet Singh and others

...Petitioners.

vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ravi Malhotra, Advocate,
for the petitioners.

Mr.Ravinder Singh, AAG, Punjab.

Mr.Vipin Kumar, Advocate,
for respondents No.2 and 3.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.0150 dated 31.10.2021, under Sections 323, 452, 506, 427, 148 and 149 IPC, registered at Police Station Mehatpur, District Jalandhar Rural along with all consequential proceedings arising out of the same, on the basis of compromise dated 25.12.2021 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners forcibly entered into the house of complainant, hurled abuses and gave beatings with their respective weapons to him and one another person, namely, Rajinder Singh @ Harjinder Singh @ Jinder.

3. In pursuance to an order dated 10.03.2022 passed by this Court, whereby the parties were directed to appear before the trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 07.06.2022 has been received from the concerned court stating that the compromise effected between them is genuine and voluntary with their free will and without any kind of undue influence and pressure. It also finds mentioned in the report that there are total 7 accused i.e. the present petitioners, one complainant, namely, Pardeep Singh @ Binda and one injured, namely, Rajinder Singh @ Harjinder Singh @ Jinder. No accused has been declared as PO.

4. Once, the compromise has been arrived at between the parties without any pressure and respondents No.2 and 3 have no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR.

The compromise in question is even found to be fully in consonance with

the directions issued by this Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

6. Thus, in view of the aforesaid report accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.0150 dated 31.10.2021, under Sections 323, 452, 506, 427, 148 and 149 IPC, registered at Police Station Mehatpur, District Jalandhar Rural as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands disposed of subject to payment of costs of Rs.20,000/- to be deposited with the Punjab and Haryana High Court Association Lawyer's Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

08.02.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No