

263 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11077-2023

DATE OF DECISION:-17.04.2023

Rashpal Kaur and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ashok Kumar Khanna, Advocate
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Sahil Dogra, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.328 dated 01.12.2020, under Sections 323, 324, 506, 148 and 149 IPC (Section 326 IPC added later on), registered at Police Station Basti Bawa Khel, District Police Commissionerate Jalandhar (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 28.03.2022 (Annexure P-3).

2. As per the allegations levelled in the FIR, the petitioners gave injuries to the complainant with their respective weapons.

3. In pursuance to order dated 02.03.2023 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 12.04.2023 has been received from the concerned court, stating that compromise has been effected between the complainant and accused persons. No accused has been declared as proclaimed person.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. 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 direction issued by the 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, the FIR No.328 dated 01.12.2020, under

Sections 323, 324, 506, 148 and 149 IPC (Section 326 IPC added later on), registered at Police Station Basti Bawa Khel, District Police Commissionerate Jalandhar (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners only.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.5000/- to be deposited with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of three weeks from today.

17.04.2023

sonika

(HARKESH MANUJA)
JUDGE

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