

267-A**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-12606-2023 (O&M)****DATE OF DECISION : 05.07.2023****Gola Singh and others****...Petitioners****Versus****State of Punjab and others****...Respondents****CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. A. S. Mann, Advocate,
For the petitioners.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Gagan Bajaj, Advocate,
For respondents No.2 to 5.

ARUN MONGA, J. (ORAL)

Petitioners seek quashing of FIR No.0094 dated 06.10.2022 (Annexure P-1) registered under Sections 341, 323, 148 read with Section 149 IPC, at Police Station Jhunir, District Mansa, on the basis of compromise dated 13.02.2023 (Annexure P-2), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 14.03.2023 had directed the parties to appear before the *Illaqua* Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 18.04.2023 of learned Judicial Magistrate Ist Class, Sardulgarh, had been received. Report reveals that statements of complainant party i.e. respondents No.2 to 5 as also of accused/present petitioners herein, were duly recorded. It is opined that a compromise has

been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondents No.2 to 5 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondents No.2 to 5 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 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. 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 in the light of impugned FIR.

7. Petition is thus allowed. FIR No.0094 dated 06.10.2022 (Annexure P-1) registered under Sections 341, 323, 148 read with Section 149 IPC, at Police Station Jhunir, District Mansa and all proceedings emanating there from *qua* the petitioners stand quashed.

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

JULY 05, 2023
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

¹Criminal Appeal No.1489 of 2012