

265 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13663-2023
DATE OF DECISION:-27.04.2023

Baljit Singh and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ramandeep Singh, Advocate for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Jaswinder Singh Rana, Advocate for
Mr. Gaurav Sahota, 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.02, dated 03.01.2023, under Sections 323, 324, 148 and 149 IPC, registered at Police Station Division No.4, Jalandhar City, District Jalandhar (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 08.03.2023 (Annexure P-2).

2. As per the allegations in the FIR, the petitioners inflicted injuries to the complainant and also snatched gold mangalsutra of his wife in a marriage ceremony, besides it, they also threatened the complainant as well his family members.

3. In pursuance to order dated 17.03.2023 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 compromise arrived at between them, a report dated 20.04.2023 has been received from the concerned court, stating that the compromise is genuine, without any pressure or undue influence. There are total 5 accused and one complainant and no accused has been declared as proclaimed offender.

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.02, dated 03.01.2023, under
Sections 323, 324, 148 and 149 IPC, registered at Police Station Division
No.4, Jalandhar City, District Jalandhar (Annexure P-1) as well as all the
subsequent proceedings arising therefrom are hereby quashed qua the
petitioners.

7. Accordingly, petition stands allowed subject to payment of costs
of Rs.5,000/- 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 two weeks from today.

27.04.2023
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(HARKESH MANUJA)
JUDGE

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