

CRM-M-14214-2023

2023:PHHC:060453
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267 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14214-2023
DATE OF DECISION:-27.04.2023

Krishan Kumar @ Krishan Lal and others

...Petitioners.

vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Jagraj Singh, Advocate for
Mr. Lupil Gupta, Advocate,
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Rohit Sharma, 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.182, dated 26.09.2018, under Sections 324, 323 and 34 IPC, registered at Police Station Sardulgarh, District Mansa (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 10.02.2023 (Annexure P-3).

2. As per the allegations in the FIR, the petitioners after entering the house of complainant-respondent No.2 inflicted injuries to him as well as to his wife i.e. respondent No.3 with their respective weapons.

3. In pursuance to order dated 20.03.2023 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 13.04.2023 has been received from the concerned court, stating that the compromise appears to be genuine, without any pressure or undue influence between the accused persons/petitioners and the complainant/injured persons. It has also been mentioned in the report that there are total 6 accused, out of which, two were declared innocent. No accused has been declared as proclaimed offender.

4. Thus 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; 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.182, dated 26.09.2018, under Sections 324, 323 and 34 IPC, registered at Police Station Sardulgarh, District Mansa (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 Clerks Bar Association, 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