

268

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CRM-M-14337-2023 (O&amp;M)

Date of decision :08.08.2023

Joginder Singh

... Petitioner

**Versus**

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Kanwaljeet Singh Brar, Advocate, for the petitioner.

Mr. Jaiteshwar S. Bhandari, Assistant Advocate General,  
Punjab, for respondent no.1.

Mr. Tripat Jeet Singh, Advocate, for respondent nos.2 and 3.

**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.45 dated 14.06.2013 (**P-1**), registered under Sections 279, 337, 338 and 427 of the Indian Penal Code, at Police Station, Sadar Faridkot along with all consequential proceedings arising therefrom on the basis of compromise dated 13.03.2023 (**P-2**), entered into between the parties i.e. petitioner as well as respondent Nos.2 and 3.

2. The case of the prosecution is that due to rash and negligent driving of petitioner- Joginder Singh, respondent no. 3- Dilbag Singh @ Dilbag Singh Brar suffered injuries and also damaged his motorcycle badly.

3. The Co-ordinate Bench, while issuing notice of motion on the previous date of hearing i.e. 21.03.2023, passed the following order:-

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| Neutral Citation No. <b>2023:PHHC:103012</b> |
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*Sections 279, 337, 338 and 427 IPC, registered at Police Station Sadar Faridkot, District Faridkot, along with all subsequent proceedings arising therefrom on the basis of compromise arrived at between the parties.*

*Notice of motion.*

*At the asking of the Court, Mr. Sarabjit Singh Cheema, DAG, Punjab, appears and accepts notice on behalf of respondent No.1-State. A copy of the paper book be supplied to him during the course of the day.*

*Mr. Tripat Jeet Singh, Advocate has appeared and filed his power of attorney on behalf of respondent Nos.2 and 3 today in the Court and the same is taken on record. He affirmed the factum of compromise between the parties.*

*Let the parties to appear before the trial Court/Duty Magistrate, as the case may be, within a period of 30 days, for getting their statements recorded with regard to the compromise. The statements of the parties with regard to the compromise may be recorded on the same day or on any other day convenient to Illaqa/Duty Magistrate but not later than six days thereof.*

*Trial Court is directed to report on the following points:-*

- (i) how many total accused are facing the trial;*
- (ii) whether challan is presented in the Court? If so, against how many accused;*
- (iii) whether any of the accused was declared proclaimed offender at any stage of trial;*
- (iv) status/stage of the trial/case;*
- (v) to record the statements of all the concerned parties with regard to the genuineness and validity or otherwise of the compromise;*
- (vi) to record the statement of Investigating Officer with regard to points No.(i), (ii), (iii) and (iv) as above.*

*Report be sent through the District & Sessions Judge, before the next date of hearing.*

*Adjourned to 08.08.2023”*

4. In pursuance of the aforesaid order, the statements of both the parties have been recorded by learned Additional Chief Judicial Magistrate, Faridkot and submitted a report dated 11.04.2023. The operative part of the same reads as under:-

*“Through their respective statements, the petitioner (accused) as well as respondent No.2 Bohar Singh (complainant) and respondent no.3*

*Dilbag Singh (injured) stated in unison that they had entered into a compromise without any extraneous influence, coercion and on their own volition. Complainant/ respondent no. 2 as well as injured respondent no.3 stated in specific terms that they had no objection if the quashing proceedings filed by the petitioner is accepted. Both the parties also placed upon record a copy of the panchayati settlement as 'Annexure A' and acknowledged the voluntary execution of the same as well as the accuracy of the terms contained in the same. It was also acknowledged that respondent no.3, Dilbag Singh, had received an amount of Rs. 2,80,000/- from the petitioner as complete and final settlement against the MACT claim. Both the parties were identified by their respective advocates. Therefore, from the statements of the parties, it is concluded that the compromise so effected between the parties is genuine, voluntary and out of their free will."*

5. A perusal of the aforesaid report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence. Even before this Court also, there is no objection by either of the parties against the compromise.

6. Learned State Counsel, on instructions from the police official present in the Court, also submitted that they have no objection in case the aforesaid FIR as well as consequential proceedings are quashed on the basis of the compromise effected between the parties.

7. In view of above, this Court is fully convinced that the offence is entirely personal in nature and do not affect any public peace or tranquillity. Thus, quashing of the FIR in question along with consequential proceedings, on the basis of compromise would bring peace and harmony to secure the ends of justice.

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8. Consequently, present petition is allowed; aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioner.

**08.08.2023**

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

vs

Whether speaking/ reasoned : Yes/No

Whether reportable : Yes/No