

249 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-16786-2021

DATE OF DECISION:-12.01.2023

Dharampal and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Ms. Riffi Birla, Advocate for the petitioners.

Mr. Ravinder Singh, AAG, Punjab

Ms. Pushpinder Kaur, Advocate,  
for respondent No.2.

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**HARKESH MANUJA, J.**

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.67 dated 30.08.2017, under Section 341, 323, 365, 148 and 149 IPC, registered at Police Station Khuian Sarwar, District Fazilka (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise dated 19.03.2021 (Annexure P-2).

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

3. In pursuance to an order dated 22.04.2021 passed by this Court, whereby the parties were directed to appear before the trial court for getting their statements recorded as regard the veracity of the compromise arrived at

between them, report dated 06.01.2022 has been received from the concerned court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or undue influence. There is no other accused except the present petitioners and there is one complainant, namely, Amit Kumar. No accused has been declared as proclaimed offender. The stage of trial was fixed for evidence of prosecution.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute being purely personal in nature, there does not appear any impediment as regards quashing of present FIR. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences has 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.67 dated 30.08.2017, under Section 341, 323, 365, 148 and 149 IPC, registered at Police Station Khuian Sarwar, District Fazilka (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed.

7. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.10,000/- by the petitioners within a period of two weeks from today in the following account:-

Account Name – Punjab and Haryana High Court Bar  
Association Lawyer's Family Welfare Fund  
Account No.-41564846387  
Bank Name- SBI High Court Branch.

12.01.2023  
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(HARKESH MANUJA)  
JUDGE

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