

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

(264)

CRM-M-14792-2023
Date of decision:- 08.08.2023

Lokesh Jindal @ Lukesh Jindal and Another

...Petitioner

Versus

State of Punjab and Another

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Mukesh Sharma, Advocate
For Ms. Rajni Gupta, Advocate
for the petitioners.

Mr. Mohinder Singh Joshi, Addl. AG, Punjab.

Mr. Sumit Puri, Advocate
for Mr. Amrita Garg, Advocate
for respondent No.2.

HARPREET SINGH BRAR, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.206 dated 12.10.2022 under Sections 498-A, 323 and 34 of IPC, 1860 (Section 406 of IPC added later on), registered at Police Station City, Budhlada, District Mansa, Punjab and all other consequential proceedings arising therefrom on the basis of compromise dated 31.01.2023 (Annexure P-2).

This Court vide order dated 23.03.2023 directed the parties to get their statements recorded before the trial Court. A report dated 27.04.2023 from Sub Divisional Judicial Magistrate, Budhlada has been received through the District and Session Judge, Mansa according to which the statements of the parties have been recorded and the compromise is genuine and has been arrived at between them voluntarily, without any coercion or undue influence.

CRM-M-14792-2023

-2-

Learned State counsel has admitted the factum of compromise and put forth his no objection to quashing of the FIR.

A Full Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another** reported as 2007(3) RCR(Criminal) 1052 and **Hon'ble Supreme Court in Ramgopal and another vs. State of Madhya Pradesh, 2022 ILR (M.P.) 228**, has discussed in detail the inherent powers of High Court in quashing a criminal proceeding or FIR or complaint where the parties have entered into compromise except the cases which involve offences such as murder, rape, dacoity etc. as such offences are not private in nature and have serious impact on society.

In view of the above judicial pronouncements, this Court is of the considered view that continuation of criminal proceedings between the parties would be an abuse of the process of law and the present compromise is for their benefit and will bring peace and harmony between them.

Consequently, this petition is allowed and FIR No.206 dated 12.10.2022 under Sections 498-A, 323 and 34 of IPC, 1860 (Section 406 of IPC added later on), registered at Police Station City, Budhlada, District Mansa, Punjab and all other consequential proceedings arising therefrom are quashed qua the petitioners.

(HARPREET SINGH BRAR)
JUDGE

08.08.2023

Spn

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No