

268 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15110-2023
DATE OF DECISION:-05.12.2023

Gurjit Singh and others ...Petitioners.

vs.

State of Punjab and others ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

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

Mr. G.S. Dhillon, AAG, Haryana.

Mr. G.S. Thind, Advocate,
for respondents No.2 and 3.

HARKESH MANUJA, J.

1. By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.25, dated 20.04.2022, under Sections 307, 323, 452, 506, 148, 149, 120-B IPC and Sections 25/27/54 of the Arms Act, 1959, registered at Police Station Mattewal, District Amritsar (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 01.07.2022 (Annexure P-2) and 02.03.2023 (Annexure P-3) as well as affidavit dated 02.03.2023 (Annexure P-5).

2. As per allegations levelled in the FIR, petitioners gave beatings to the complainant as well as to his mother with the butts of revolver and pistol.

3. In pursuance of order dated 07.07.2023 passed by this Court,

whereby 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 22.09.2023 has been received from the concerned court, stating that the compromise is genuine and is arrived at without any coercion or undue influence. No accused has been declared as proclaimed offender.

4. In compliance of order dated 03.10.2023, short reply by way of affidavit of Mr. Kanwalpreet Singh(PPS), Deputy Superintendent of Police, Sub-Division Majitha, District Amritsar (Rural) on behalf of respondent No.1-State has been filed in Court today and the same is taken on record.

5. Once, the compromise has been arrived at between the parties without any pressure and respondents No.2 and 3 having 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.

6. 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.

7. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.25, dated 20.04.2022, under Sections 307, 323, 452, 506, 148, 149, 120-B IPC and Sections 25/27/54 of the Arms Act, 1959, registered at Police Station Mattewal, District Amritsar as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

8. Accordingly, petition stands allowed subject to payment of costs of Rs.5,000/- to be deposited by the petitioners 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 the date of receipt of certified copy of this order.

05.12.2023

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(HARKESH MANUJA)
JUDGE

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