

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-15722-2023
Date of Decision: May 16, 2023

SURJIT SINGH Petitioner
Versus
STATE OF PUNJAB AND ANOTHER Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Lokesh Vohra, Advocate for petitioner.
Mr. Kunal Vinayak, AAG, Punjab.
Mr. Sagar Bhayana, Advocate for
Mr. Sanpreet Singh, Advocate for respondent No.2.

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 482 Cr.P.C. the petitioner prays for quashing of case FIR No.132 dated 24.11.2015 registered under Sections 324 and 323 (Section 326 and 34 IPC added later on) at P.S. Mamdot, Ferozepur along with all consequential proceedings arising out of the same on the basis of compromise dated 22.03.2023 (P-2).

2. As per allegations levelled in the FIR the petitioner along with the other accused namely Boor Singh and other persons attacked the complainant while he was returning from his field. Originally the FIR was registered against two persons i.e. petitioner as well as one Boor Singh, however, unfortunately Boor Singh expired during pendency of trial and therefore the present petition has been filed solely on behalf of petitioner.

3. In pursuance to an order dated 29.03.2023 passed by this Court whereby, the parties were directed to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 06.05.2023 has been

received from the concerned Court, stating that the compromise in the present case is genuine, voluntary and without any pressure, coercion or undue influence. No accused has been declared as proclaimed offender. There is only one complainant namely Kuldeep Singh.

4. Learned counsel for the petitioner submits that once, a compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even, 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 On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the report dated 06.05.2023. 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 directions issued by this 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 report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the petition is allowed and FIR No.132 dated 24.11.2015 registered under Sections 324 and 323 (Section 326 and 34 IPC added later on) at P.S. Mamdot, Ferozepur along with all consequential proceedings arising therefrom, are hereby quashed.

8. The aforesaid order shall, however, be subject to payment of Costs of Rs.2,000/- to be deposited with Clerk Bar Association, Punjab and Haryana High Court, Chandigarh within a period of two weeks from today.

16.05.2023
tejwinder

(HARKESH MANUJA)
JUDGE

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