

**124 IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH**

**CRM M-18679-2023 (O&M)**

**Date of Decision: 05.10.2023**

**PARWINDER SINGH @ PINDI @ MANJINDER SINGH AND ORS.**

**.....Petitioners**

**Versus**

**STATE OF PUNJAB AND ANOTHER**

**.....Respondents**

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

Present: Mr. Anupinder Singh Brar, Advocate  
for the petitioners.

Mr. C.L. Pawar, Addl. AG, Punjab.

Mr. M.S. Basra, Advocate  
for respondent No.2

**MAHABIR SINGH SINDHU. J.**

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No. 192 dated 17.09.2021 under Sections 323, 341, 148, 149 and 427 of the Indian Penal Code, 1860 (for short, '*the IPC*') at Police Station Sadar Dhuri, District Sangrur (P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 05.07.2022 (P-2), entered into between the parties i.e. petitioners as well as respondent No.2.

2. The accused are alleged to have given injuries to the complainant near brick kiln on Ruldu Singh wali Road.

3. A Co-ordinate Bench of this Court, while issuing notice of motion on 17.04.2023, passed the following order:-

*"This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 192 dated 17.09.2021 under Sections 323, 341, 148, 149 and 427 IPC registered at Police Station Sadar Dhuri, District Sangrur (Annexure P-1) and all consequential*

*proceedings arising therefrom on the basis of compromise dated 05.07.2022 (Annexure P-2) executed between the parties.*

*Learned counsel for the petitioners submits that the matter has since been compromised between the parties with the intervention of the respectables.*

*Notice of motion.*

*At the asking of the Court, Mr. Shubham Kaushik, AAG, Punjab accepts notice on behalf of the State and Mr. Manbir Singh Basra, Advocate accepts notice on behalf of respondent No.2 and has filed his Power of Attorney which is taken on record. Let the copy of the petition be handed over to the counsel opposite during the course of the day.*

*Learned counsel for respondent No.2 admits the factum of compromise.*

*Accordingly, the private parties are directed to appear before the concerned trial Court/Illaq Magistrate on 08.05.2023 or any other date, convenient to the Court for recording their statements with regard to compromise/settlement. Trial Court/Illaq Magistrate is directed to submit a report on or before the next date of hearing containing the following information:-*

- 1. Number of persons arrayed as accused in FIR.*
- 2. Whether any accused is proclaimed offender.*
- 3. Whether the compromise is genuine, voluntary and without any coercion or undue influence.*
- 4. Whether the accused persons are involved in any other case or not.*
- 5. The trial Court is also directed to record the statement of the Investigation Officer as to how many victims/complainants are there in the FIR.*

*To await report of the trial Court, adjourned to 30.05.2023.”*

4. In terms of aforesaid order, the statements of both the parties were recorded by learned Judicial Magistrate Ist Class, Dhuri and submitted a report dated 01.07.2023. The operative part of the same reads as under:-

*“Hence, in these circumstances, from above statements, it is humbly submitted that:-*

*(i) As per the statement of complainant/respondent no. 2, petitioners/accused no. 1 to 5 and Investigating Officer, there is only five accused persons in the present FIR namely Parwinder Singh @ Pindi i.e. petitioner No. 1, Sukhveer Singh @Sukhbir Singh @ Joga*

*i.e. petitioner No.2, Muhammad Arfin @ Honey Le petitioner No.3, Gobind Singh i.e. petitioner No. 4, Jatinder Singh i.e. petitioner No. 5.*

*(ii) As per the statement of complainant/respondent no. 2... petitioners/accused no. 1 to 5 and Investigating Officer, accused persons namely Parwinder Singh @ Pindi i.e. petitioner No. 1, Sukhveer Singh @ Sukhbir Singh @ Joga i.e. petitioner No.2, Muhamad Arfan @ Honey i.e. petitioner No.3, Gobind Singh i.e. petitioner No. 4. Jatinder Singh i.e. petitioner No. 5 have not been declared as proclaimed offender/s.*

*(iii) As per the statement of parties, the compromise has been arrived at by them is genuine, voluntarily, out of freewill, without any pressure, coercion or undue influence.*

*(iv) As per the statement of Investigating Officer, accused/petitioner no. 1 namely Parwinder Singh @ Pindi is involved in another case bearing FIR No. 166 dated 11.06.2020 U/s 353/186/108/332/427/188 IPC and Section 61/1/14 of Excise Act PS Patran District Patiala, accused/petitioner no. 2 namely Sukhveer Singh @ Sukhbir Singh @ Joga is involved in another case bearing No. 17 dated 14.01.2020 U/s 323/341/506/148/149 IPC PS Sadar Dhuri, accused/petitioner no. 5 namely Jatinder Singh is involved in another case bearing FIR No. 306 dated 10.09.2020 U/s 22/61/85 of NDPS Act PS Sadar Dhuri, Fik No. and 40 dated 21.04.2018 U/s 61/1/14 of Excise Act PS Doraha, FIR bearing No. 3 dated 03.01.2022 U/s 379 IPC PS Sadar Dhuri and FIR bearing No. 169 dated 12.10.2017 U 341, 323, 324, 506, 34 IPC PS Sadar Dhuri. It is further submitted that accused persons namely Muhamad Arfan @ Honey and Gobind are not involved in any other FIR and no other case is pending against them as per the statement of the Investigating Officer.*

*(v) The statement of Investigating Officer, with regard to number of victims/complainants have been recorded and as per his statement there is only one complainant namely Baldeep Singh @ Babbu in the present FIR.*

*11. Hence, the requisite report is submitted for the present case for kind perusal of your goodself.*

*Submitted please.”*

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 SI Gulab Singh 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. Learned counsel for respondent No. 2 has also admitted the factum of compromise.

8. In view of above, this Court is fully convinced that the offence is entirely personal in nature. 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.

9. Consequently, present petition is allowed; aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioners. However, as a deterrence for the future, petitioners are burdened with costs of Rs. 25,000/- (Rs. 5,000/- to be paid by each petitioner). Costs be deposited with Punjab and Haryana High Court Bar Association, Chandigarh Lawyers Family Welfare Fund.

05.10.2023  
Ajay Goswami

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

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