

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

**CRM-M-17753-2021
Date of decision: 24.05.2023**

BEANT SINGH AND ORS.

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Lakhwinder Singh Mann, Advocate for the petitioners.

Mr. Hittan Nehra, Addl. AG, Punjab.

VIVEK PURI, J. (ORAL)

1. Mr. Hardeep Singh, Advocate has put in appearance on behalf of respondent No.2 and filed memo of appearance, which is taken on record.
2. Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.156 dated 07.12.2020 under Sections 323/341/506/148/149 IPC, 1860 (Section 325 IPC added later on), registered at Police Station Amloh, District Fatehgarh Sahib and all the consequential proceedings arising therefrom, on the basis of compromise.
2. On 28.04.2021, parties were directed to appear before the Trial Court/Illaq Magistrate and get their statements recorded with regard to the compromise arrived at between them.
3. The trial Court was directed to record the statements of all the concerned and send its report regarding genuineness and voluntary nature of the compromise.
4. In compliance of the order dated 28.04.2021, learned Judicial

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submitted the report, the relevant para whereof reads as under:-

- “i) From the statements of the parties, it seems that the compromise between the parties is valid, voluntary & genuine and the same has been arrived at between the parties without any undue influence or coercion.*
- ii) there is no other accused other than the petitioners, arrayed in the petition bearing no. CRM-M-17753-2021;*
- iii) there is no other complainant or affected/aggrieved party other than the respondents, arrayed in the petition.*
- iv) No accused has been declared Proclaimed offender in the present case.”*

5. Learned counsel for the petitioners contend that as per the allegations, the petitioners had inflicted injuries on the person of respondent No.2. Respondent No.2 has not suffered any disability much less permanent disability and he is enjoying good health. The dispute has been amicably settled between the parties in terms of compromise dated 09.04.2021 (Annexure P-2) and an amicable settlement will help in maintaining cordial relations between them in future.

6. Learned counsel for respondent No.2 states that he has no objection if FIR is quashed.

7. After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

8. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute has been

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sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

9. For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, upheld by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*.

10. Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.156 dated 07.12.2020 under Sections 323/341/506/148/149 IPC, 1860 (Section 325 IPC added later on), registered at Police Station Amloh, District Fatehgarh Sahib and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.

11. Resultantly, with the above-said observations made, the instant petition stands allowed.

24.05.2023

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No