

CRM-M-15804-2019

2023:PHHC:060381

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249 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15804-2019

DATE OF DECISION:-27.04.2023

Gurditta Singh and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Anu Bala Garg, Advocate for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Kamaljeet Singh, Advocate for
Mr. V.P. Sangwan, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.66, dated 02.06.2017, under Sections 447, 511, 379, 427, 506 and 34 IPC, registered at Police Station Sadar Bathinda, District Bathinda (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 08.03.2019 (Annexure P-3).

2. As per the allegations in the FIR, the petitioners inflicted injuries to the complainant with their respective weapons and tried to strangle him.

3. In pursuance to order dated 08.04.2019 and 19.01.2023 passed by this Court, whereby the 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 13.02.2023 has been received from the concerned court, stating that the compromise arrived between the complainant and accused persons is genuine, voluntary and without any coercion and undue influence. It has also been mentioned in the report that one case bearing FIR No.78 dated 21.06.2017, under Sections 341, 323, 34 IPC was registered on the statement of Satnam Singh against Gurditta Singh, Darshan Singh and Jagtar Singh, in which, a cross-case was also registered on the statement of Gurditta Singh against Vijay Kumar, Partap Singh, Satnam Singh, Sarabjit Singh, Gurmail Singh, Ram Sarup and Jagsir Singh, but the same has already been quashed by this Court vide order dated 21.05.2019. No accused has been declared as proclaimed offender.

4. Thus once, the 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 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.

5. 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*.

6. 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 FIR No.66, dated 02.06.2017, under Sections 447, 511, 379, 427, 506 and 34 IPC, registered at Police Station Sadar Bathinda, District Bathinda (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Association, within a period of two weeks from today.

27.04.2023

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(HARKESH MANUJA)
JUDGE

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