

CRM-M-16855-2023

2023:PHHC:066856
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245 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16855-2023
DATE OF DECISION:-08.05.2023

Manjit Singh and others

...Petitioners.

vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Praagbir Singh Dhindsa, Advocate for
Mr. H.S. Dhindsa, Advocate,
for the petitioners.

Mr. V.K. Gupta, AAG, Punjab.

Mr. Nikhil Singh, Advocate for
Mr. Ramandeep Singh, Advocate,
for respondents No.4 to 7.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., prayer has been made for quashing of FIR No.121, dated 16.06.2014, under Sections 323, 325, 307, 452, 506, 148 and 149 IPC, registered at Police Station Dakha, District Ludhiana (Sections 307 and 452 IPC were deleted later on) alongwith all the subsequent proceedings arising therefrom, on the basis of compromise dated 21.03.2023 (Annexure P-2)

2. As per the allegations levelled in the FIR, the petitioners inflicted injuries to the private respondents with their respective weapons, besides it, they threw respondent No.5-Harminder Pal Singh from the first floor and also extended threats to them.

3. Initially, FIR in question was registered under Sections 323, 325,

307, 452, 506, 148 and 149 IPC, however, Sections 307 and 452 IPC were deleted after investigation.

4. In pursuance to order dated 10.04.2023 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 27.04.2023 has been received from the concerned court, stating that the compromise between the parties is genuine, voluntary and the same has been effected between the parties without any pressure, coercion or undue influence. There are total 5 accused and 4 injured, though, the complaint was made at the instance of respondent No.4. No accused has been declared as proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondents No.4 to 7 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.

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.121, dated 16.06.2014, under Sections 323, 325, 307, 452, 506, 148 and 149 IPC, registered at Police Station Dakha, District Ludhiana (Sections 307 and 452 IPC were deleted later on) 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.15,000/- to be deposited 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.

08.05.2023

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(HARKESH MANUJA)
JUDGE

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