

289 (2 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Date of decision: October 18, 2023

CRM-M-16117-2023 (O&M)

Jugraj Singh and others

...Petitioners

VS

State of Punjab and another

...Respondents

CRM-M-16149-2023 (O&M)

Gurpreet Singh and others

...Petitioners

VS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Sultan Singh Gill, Advocate,
For the petitioners in CRM-M-16117-2023
For the complainant in CRM-M-16149-2023.

Mr. Bikram Jit Singh Randhawa, Advocate,
For the petitioners in CRM-M-16149-2023
For the complainant in CRM-M-16117-2023.

Mr. Jaswinder Singh Arora, DAG, Punjab.

ARUN MONGA, J. (ORAL)

Vide this common order, above mentioned two cases are being disposed of since facts are analogous.

2. In CRM-M-16117-2023 petitioners seek quashing of FIR No.0081 dated 27.06.2020 registered under Sections 323, 326, 506, read with Section 34 of the Indian Penal Code, 1860 (for short 'IPC') at Police Station, Jhander, District Amritsar Rural and all other consequential proceedings arising therefrom on the basis of compromise dated 15.03.2023 (Annexure P-2), stated to have been arrived between the parties.

2.1 In CRM-M-16149-2023 petitioners seek quashing the cross-case registered vide DDR No.030 dated 29.06.2020 under Sections 341, 324, 326, 506, read with Section 34 of IPC in the aforesaid FIR.

3. Since quashing was sought on the basis of compromise, this Court vide order dated 24.07.2023 had directed the parties to appear before the *Illaq* Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

4. Report dated 16.10.2023 of learned Judicial Magistrate Ist Class, Ajnala had been received. Report reveals that statements of complainant party i.e. respondents No.2 and 3 in CRM-M-16149-2023 as also of accused/present petitioners herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondents No.2 and 3 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

5. Learned counsel for respondents No.2 and 3 submits that he would have no objection to the quashing of FIR in question.

6. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled “*Ramgopal and anr. V. The State of Madhya Pradesh*”¹ and a Full Bench decision of this Court in “*Kulwinder Singh and others V. State of Punjab and others*”².

7. In the premise, these are appropriate cases for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

8. Both the petitions are thus allowed. FIR No.0081 dated 27.06.2020 registered under Sections 323, 326, 506, read with Section 34 of the Indian Penal Code, 1860 (for short ‘IPC’) at Police Station, Jhander, District Amritsar Rural and

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052

DDR No.030 dated 29.06.2020 registered under Sections 341, 324, 326, 506, 34 of IPC at Police Station, Jhander, District Amritsar Rural and all proceedings emanating there from *qua* the petitioners stand quashed.

- 9. Pending application(s), if any, shall also stand disposed of.
- 10. A photocopy of this order be placed on the connected case file.

(ARUN MONGA)
JUDGE

October 18, 2023
vandana

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