

267-a **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-18034-2022

DATE OF DECISION:-28.03.2023

Rajbir Singh Walia and another

...Petitioners.

VS.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Harmeet Singh, Advocate,
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Ms. Amarjot Kaur, Advocate for
Mr. Vikram Anand, Advocate,
for respondents No.2 to 8.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of DDR No.38 dated 07.08.2021, under Sections 323, 324, 34 IPC, at Police Station Division City Kapurthala (Annexure P-2) registered during the investigation of case in FIR No.252 dated 07.08.2021, under Sections 323, 324, 380, 506, 452, 148 and 149 IPC, registered at Police Station City Kapurthala (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 23.02.2022 (Annexure P-3).

2. As per the allegations levelled in the DDR, the petitioners inflicted injuries to respondents No.2 to 8 with their respective weapons.

3. In pursuance to an order dated 17.02.2023 passed by this Court, whereby the parties were directed to appear before the trial Court for getting their statements recorded, a report dated 17.03.2023 has been received from the concerned court stating that the compromise effected between the parties is genuine, without any pressure or undue influence. No accused has been declared as PO.

4. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of DDR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present DDR. 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 DDR 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 DDR. The compromise in question is even found to be fully in consonance with the directions issued by this 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, DDR No.38 dated 07.08.2021, under Sections 323, 324, 34 IPC, at Police Station Division City Kapurthala (Annexure P-2) 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 by the petitioners with the Punjab and Haryana High Court Bar Association, within a period of two weeks from today.

28.03.2023

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(HARKESH MANUJA)
JUDGE

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