

268 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16844-2023

DATE OF DECISION:-17.05.2023

Jai Singh and others

...Petitioners.

vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Vertika Gupta, Advocate for
Mr. Rohit Sharma, Advocate,
for the petitioners.

Mr. Kunal Vinayak, AAG, Punjab.

Mr. Lupil Gupta, Advocate,
for respondents No.2 and 3.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of Rapat No.38, dated 26.09.2018, under Sections 323, 34 IPC, Police Station Sardulgarh, District Mansa in case FIR No.182, dated 26.09.2018, under Sections 324, 323 and 34 IPC, Police Station Sardulgarh, District Mansa along with all consequential proceedings arising therefrom on the basis of compromise dated 10.02.2023.

2. As per the allegations levelled in the rapat, the petitioners inflicted injuries to the complainant as well as his wife with their respective weapons.

3. In pursuance to an order dated 11.04.2023 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 29.04.2023 has been received from the concerned court, stating that the compromise dated 10.02.2023 has been effected between complainant-Krishna Lal as well as his injured-wife Sunita Devi with accused namely, Nihal Singh, Sultan, Krishan Lal and Jai Singh is genuine, voluntary and without any coercion or undue influence. 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.2 and 3 having no objection as regards quashing of rapat 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 rapat 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 rapat 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 rapat. 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 Rapat No.38, dated 26.09.2018, under Sections 323, 34 IPC, Police Station Sardulgarh, District Mansa in case FIR No.182, dated 26.09.2018, under Sections 324, 323 and 34 IPC, Police Station Sardulgarh, District Mansa 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 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.

17.05.2023

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(HARKESH MANUJA)
JUDGE

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