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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17888 of 2023 (O&M)

Date of decision: 11.09.2023

Jaswant Singh and others

...Petitioners

VS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Kuldip Singh, Advocate,
for the petitioner.

Mr. Sachin Kaushik, AAG, Punjab

Mr. Hoshier Singh, Advocate,
for respondents No.2 and 3.

ARUN MONGA, J. (ORAL)

Petitioner seeks quashing of FIR No.0025 dated 25.01.2020 (Annexure P-1) registered under Sections 452, 323 read with Section 34 of IPC, at Police Station, Sadar Fazilka, District Fazilka on the basis of compromise/affidavit dated 29.03.2023 (Annexure P-2), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 13.04.2023 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 12.05.2023 of learned Addl. Chief Judicial Magistrate, Fazilka had been received. Report reveals that statements of complainant party i.e. respondents No.2 and 3 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.

4. Learned counsel for complainant/respondents No.2 and 3 states that he would have no objection to the quashing of FIR in question.
5. 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 .
6. In the premise it is an appropriate case 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.
7. Petition is thus allowed. FIR No.0025 dated 25.01.2020 (Annexure P-1) registered under Sections 452, 323 read with Section 34 of IPC, at Police Station, Sadar Fazilka, District Fazilka on the basis of compromise/affidavit dated 29.03.2023 (Annexure P-2) and all proceedings emanating there from *qua* the petitioner stand quashed.
8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

11.09.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No