

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(240)

CRM-M-34190-2018

Date of Decision:- 08.12.2023

Sahib Singh @ Arshdeep Singh and others**...Petitioners****VERSUS****State of Punjab and another****...Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Raghav Soni, Advocate for the petitioners.

Mr. Anup Singh, AAG, Punjab for State-respondent No.1.

Mr. Akhil Singh Arora, Advocate for the respondent No.2.

**********SUVIR SEHGAL, J. (Oral)**

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.62 dated 24.04.2018, registered for offences under Sections 323, 326 and 34, IPC, at Police Station Sultanwind, Amritsar, District Amritsar, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise deed dated 29.05.2018, Annexure P-2, arrived at between the parties.

2. Counsel for the petitioners submits that FIR, Annexure P-1, is an outcome of a minor altercation, which has been amicably settled between the parties by compromise deed, Annexure P-2. He submits that the parties have appeared before the Trial Court and their statements have been recorded.

3. Upon instructions, State counsel submits that the matter is under investigation.

4. Counsel representing complainant-respondent No.2 does not have any objection in case the criminal proceedings are set aside.

5. Heard counsel for the parties.

6. Pursuant to order dated 25.07.2023 passed by this Court, report has been received from the learned Judicial Magistrate, relevant extract of which is

as under:-

“3. It is further submitted that while recording the statements of both the parties, it has been ensured that in the present case, the complainant/respondent no.2 Ibadat Singh through natural guardian Tejinderpal Singh and accused persons/petitioner Sahib Singh @ Arshdeep Singh through natural guardian Bhupinder Singh, Vishal through natural guardian Brahma Nand, Nanak Singh through natural guardian Dharamvir Singh, Baranta @ Gagandeep Singh through natural guardian Raju Singh have appeared before the court. Further, as per the statement of the parties and the investigating officer, the compromise has been arrived at between them. The compromise is genuine, voluntary and without any pressure, being outcome of their free will. Further, as per the statement of the parties, there is no other accused in the present case except the petitioners and there is no other complainant/injured/aggrieved person except the respondent no.2. Furthermore, as per the statements of accused/petitioners, no other case is pending against them. They have not been declared proclaimed offender in the present case. The challan is yet to be presented by the investigating agency.”

7. In view of the report given by the learned Magistrate and the judgment of the Supreme Court in **Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543** and a Full Bench of this Court in **Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

8. Accordingly, the petition is allowed. FIR No.62 dated 24.04.2018, registered for offences under Sections 323, 326 and 34, IPC, at Police Station Sultanwind, Amritsar, District Amritsar, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

08.12.2023

Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No