

251 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19964-2022

DATE OF DECISION:-12.01.2023

Surinder Kumar

...Petitioner.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Surinder Garg, Advocate for the petitioner.

Mr. Ravinder Singh, AAG, Punjab

Mr. Munish Garg, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.28 dated 25.03.2022, under Sections 332, 353, 186 and 506 IPC, registered at Police Station Phool, District Bathinda (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise dated 27.04.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioner gave fist blow on the mouth of Station House Officer/respondent No.2 and torn his uniform in the police station.

3. In pursuance to an order dated 13.05.2022 passed by this Court, whereby the parties were directed to appear before the trial court for getting

their statements recorded as regard the veracity of the compromise arrived at between them, report dated 06.07.2022 has been received from the concerned court, stating that the compromise effected between the parties is genuine, out of their free will, without any external pressure, fraud, misrepresentation or coercion. There is no other accused except the petitioner and no other case is pending against him. The petitioner is on anticipatory bail.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences has no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR 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 FIR. 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 FIR No.28 dated 25.03.2022, under Sections 332, 353, 186 and 506 IPC, registered at Police Station Phool, District Bathinda (Annexure P-1)) as well as all the subsequent proceedings arising therefrom are hereby quashed.

7. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.10,000/- by the petitioner within a period of two weeks from today in the following account:-

Account Name – Punjab and Haryana High Court Bar
Association Lawyer's Family Welfare Fund
Account No.-41564846387
Bank Name- SBI High Court Branch.

12.01.2023
sonika

(HARKESH MANUJA)
JUDGE

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