

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

**CRM-M No.22846 of 2021 (O&M)
Date of decision: 02.08.2023**

Raminderjeet Singh

... Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amandeep Singh Manaise, Advocate, for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab for respondent No.1.

Mr. Gagandeep Singh, Advocate for respondent Nos.2 & 3.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.06 dated 06.02.2021 (P-1), under Sections 279, 337, 338 & 427 of the Indian Penal Code, 1860, registered at Police Station Rangar Nangal, Police District Batala, District Gurdaspur along with all consequential proceedings arising therefrom on the basis of compromise dated 19.05.2021 (P-2), entered into between the parties i.e. petitioner as well as respondent Nos.2 & 3.

(2) It transpires that above FIR was registered on the basis of statement made by complainant-Paramjit Singh (respondent No.2), retired as Sub Inspector from CRPF, to the effect that on 06.02.2021 at about 5:15

PM, when he along with one Gurdit Singh reached near Cement Pipe Factory on his motorcycle, then one i20 Car bearing registration No.PB10-FD-4382 came from opposite side speedily and hit the same in their motorcycle. Due to this, complainant as well as Gurdit Singh fell on the road and, right leg & hip of the complainant was fractured; little finger of his right hand was cut and he got abrasions on the other parts of the body as well as head. Gurdit Singh also received injuries. Meanwhile, Gurmeet Singh & Gurbachan Singh (cousin & brother of complainant, respectively) reached at the spot. Driver of the said Car was apprehended by his brother, who disclosed his name as Raminderjit Singh (petitioner) and his mouth smelled of liquor.

(3) The Co-ordinate Bench, while issuing notice of motion on 05.10.2021, passed the following order:-

“The learned counsel for the petitioner has submitted that it is a case where an accident had taken place on the road and minor injuries were suffered by the respondents and thereafter, the matter has been amicably settled between the parties.

Notice of motion was issued on 05.07.2021 in this case and the respondents were granted liberty to file their respective replies. However, no reply has been filed by the respondents till date.

The learned counsel for the petitioner has submitted that it is a case where the alleged offence does not fall within the category of serious and heinous crimes and no useful purpose will be served to further carry on the prosecution once the compromise has been entered into between the parties.

In view of the above, the parties are directed to appear before the Illaqa Magistrate/trial Court for recording their respective statements with regard to compromise/settlement on 22.10.2021.

The Illaqa Magistrate/trial Court is directed to submit a

report along with copies of statements of the parties on or before the next date of hearing containing the following information as well:

- (i) Number of persons arrayed as accused in FIR;*
- (ii) Whether any accused is proclaimed offender;*
- (iii) Status of trial/proceedings and*
- (iv) Whether the compromise is genuine, voluntary, and without any coercion or undue influence.*

List on 21.01.2022 for awaiting the report.”

(4) In terms of aforesaid order, the statements of both the parties were recorded by learned Additional Civil Judge (Senior Division)-cum-Sub Divisional Judicial Magistrate, Batala and submitted a report dated 14.06.2023. The operative part of the same reads as under:-

“(i) As per record and as per the statement of Investigating Officer ASI Surinderpal Singh, no.2682/Btl., PS Rangar Nangal, only one accused i.e. Raminderjeet Singh s/o Baljit Singh, has been arrayed as accused in the present FIR and no other accused is arrayed in the present FIR.

(ii) As per the statement of Investigating Officer ASI Surinderpal Singh, no.2682/Btl., PS Rangar Nangal, neither the accused has been declared as proclaimed person/offender nor any P.O. proceedings are pending against the accused and except the present FIR, accused Raminderjeet Singh s/o Baljit Singh is also involved in DDR no.20 dated 01.06.2020, under sections 323, 324, 326, 148, 149 IPC which is cross-version in FIR no.62 dated 30.05.2020, PS Rangar Nangal, which is under investigation.

(iii) As per the statement of Investigating Officer ASI Surinderpal Singh, no.2682/Btl., PS Rangar Nangal, the matter is under investigation and challan has not been presented in the Court, yet.

(iv) In view of the statements got recorded by both the parties, this Court is satisfied that the compromise effected

between them is genuine, voluntary and without any coercion or undue influence.”

- (5) A perusal of the aforesaid report clearly reveals that the matter has been compromised by both parties with their free consent, voluntarily and without any coercion or undue influence. Even before this Court also, there is no objection by either of the parties against each other.
- (6) Learned State Counsel, on instructions, also submitted that they have no objection in case the aforesaid FIR as well as consequential proceedings are quashed on the basis of compromise effected between the parties.
- (7) Learned Counsel for respondent Nos.2 & 3 also raises no objection.
- (8) In view of above, this Court is fully convinced that alleged offence(s) are entirely personal in nature and do not affect any public peace or tranquility. Thus, quashing of the FIR in question along with consequential proceedings, on the basis of compromise, would bring peace and harmony to secure the ends of justice.
- (8) Consequently, present petition is allowed; aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioner. However, as a deterrence for the future, petitioner is burdened with costs of Rs.25,000/-. Costs be deposited with Punjab and Haryana High Court Bar Association, Chandigarh Lawyers Family Welfare Fund.

August 2nd, 2023

(MAHABIR SINGH SINDHU)
JUDGE

Gagan

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No