

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

**CRM-M-21868-2022
Date of Decision: January 27, 2023**

ROHAN KUMAR @ ROHAN BANSAL AND ORS VS Petitioners

Versus

STATE OF PUNJAB AND ANR Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikram Singh, Advocate for
Mr. J.S. Dadwal, Advocate for
the petitioner.

HARKESH MANUJA, J. (ORAL)

By way of present petition filed under Section 482 Cr.P.C. the petitioner prays for quashing FIR No.0156, dated 04.08.2021, under Sections 379, 427, 506, 120-B, 148, 149 IPC, registered at Police Station Urban Estate, District Patiala, Punjab (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of the compromise dated 23.04.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners damaged the car of complainant with hockey sticks and baseball bats and threatened to kill him.

3. In pursuance to an order dated 19.05.2022 passed by this Court whereby, the parties were directed to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 06.06.2022 has been received from the concerned Court, stating that the compromise in

the present case is genuine, voluntary and without any undue influence. There are total six accused persons named in the FIR besides few unknown persons regarding them even IO refused to give the statement thus practically all name are before this Court.

4. Learned counsel for the petitioner submits that once, a compromise has been arrived at between the parties without any pressure and respondent has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR, in part, qua the petitioners. He also submits that even, 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 FIR in question, qua the petitioners, on the basis of compromise entered into between the parties.

5. On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the report dated 06.06.2022. 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 this 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***”.

7. 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 petition is allowed. FIR No. 0156, dated 04.08.2021, under Sections 379, 427, 506, 120-B, 148, 149 IPC, along with all consequential proceedings arising therefrom, qua the petitioners are hereby quashed, subject to deposit of a sum of Rs.20,000/- by the petitioners within a period of two weeks from today in the following account:-

Account name: Punjab and Haryana high court
Association Lawyer’s Welfare Fund
Account No: 41564846387
Bank Name: S.B.I. High Court Branch.

27.01.2023
tejwinder

(**HARKESH MANUJA**)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>