

240 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20684-2023

DATE OF DECISION:-29.05.2023

Harmanmeet Singh Sidhu @ Harman and another ...Petitioners.

vs.

State of Punjab and another ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Meenu Verma, Advocate,
for the petitioners.

Mr. Kunal Vinayak, AAG, Punjab.

Ms. Ritu Pathak Advocate
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.15 dated 26.01.2023, under Sections 324, 148, 149 IPC (Section 326 IPC added later on), registered at Police Station Kot Ise Khan, District Moga (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 16.02.2023 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners gave injuries to respondent No.2-complainant on his left arm and head.

3. In pursuance to order dated 26.04.2023 passed by this Court, whereby the parties were directed to appear before the trial court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 15.05.2023 has been received from the

concerned court, stating that the compromise entered into by the parties is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender.

4. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, 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 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 facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.15 dated 26.01.2023, under Sections 324, 148, 149 IPC (Section 326 IPC added later on), registered at Police Station Kot Ise Khan, District Moga as well as all the subsequent

proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.5,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, within a period of two weeks from today.

29.05.2023

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(HARKESH MANUJA)
JUDGE

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