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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-20453-2023 (O&M)

Date of decision: 21.08.2023

Bhupinder Singh @ Jinda and another

...Petitioners

VS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr.Sandeep Sharma, Advocate,
for the petitioners.

Mr.Mohit Thakur, AAG, Punjab.

Mr.Nitin Narula, Advocate,
for respondent no.2.

ARUN MONGA, J. (ORAL)

Petitioners seek quashing of the DDR/General Diary Details No.034 dated 14.03.2023, registered under Section 323, 326, 34 of the Indian Penal Code, 1860 (for short 'the Act'), at Police Station Division B, District Police Commissionerate Amritsar (Annexure P-1), in case FIR No.0070 dated 07.03.2023, registered under Sections 323, 325 and 148 IPC, at the same Police Station (Annexure P-2) and all subsequent proceedings arising therefrom, on the basis of the compromise dated 13.04.2023 (Annexure P-3)

2. Since quashing was sought on the basis of compromise, a co-ordinate Bench of this Court vide order dated 25.04.2023 had directed the parties to appear before the *Illaq*a Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 03.07.2023 of learned Judicial Magistrate Ist Class, Amritsar, had been received. Report reveals that statements of complainant party i.e. respondent No.2 as also of accused/present petitioners herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The

report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.2 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondent No.2 states that he would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled “*Ramgopal and anr. V. The State of Madhya Pradesh*”¹ and a Full Bench decision of this Court in “*Kulwinder Singh and others V. State of Punjab and others*”².

6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

7. Petition is thus allowed. DDR/General Diary Details No.034 dated 14.03.2023, registered under Section 323, 326, 34 of the Indian Penal Code, 1860, at Police Station Division B, District Police Commissionerate Amritsar (Annexure P-1), in case FIR No.0070 dated 07.03.2023 and all proceedings emanating there from *qua* the petitioners stand quashed.

8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

21.08.2023

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052