

CRM-M-20471-2023

2023:PHHC:075798
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**276 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-20471-2023
DATE OF DECISION:-24.05.2023

Dilpreet Singh @ Diyalu and others

...Petitioners.

vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rajan Singh Dadwal, Advocate,
for the petitioners.

Mr. Kunal Vinayak, AAG, Punjab.

Mr. Suraj Kaundal, Advocate
for respondents No.2 and 3.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.0014 dated 02.02.2023, under Sections 452, 323, 506, 148 and 149 IPC, registered at Police Station Sidhwan Bet, District Ludhiana Rural (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 29.03.2023 (Annexure P-2).

2. As per the allegations levelled in the FIR, petitioners entered into a scuffle with respondents No.2 and 3 and gave beatings to them with their respective weapons. Initially, FIR was got registered against petitioners No.1 to 3, however, during investigation, petitioner No.4 was also found involved in the incident and was thus, arrayed as accused in the present FIR.

3. In pursuance to an order dated 25.04.2023 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 effected between them is genuine and voluntary and without any coercion or undue influence. There are total 4 accused i.e. the present petitioners and two complainant/injured i.e. respondents No.2 and 3. No accused has been declared as proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondents No.2 and 3 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.***

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6. Thus, in view of the aforesaid FIR, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.0014 dated 02.02.2023, under Sections 452, 323, 506, 148 and 149 IPC, registered at Police Station Sidhwan Bet, District Ludhiana Rural (Annexure P-1) 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 Punjab and Haryana High Court Bar Association, within a period of two weeks from today.

24.05.2023
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(HARKESH MANUJA)
JUDGE

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