

CRM-M-20981-2023

2023:PHHC:080406
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219 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20981-2023
DATE OF DECISION:-01.06.2023

Amit Goyal @ Rishu Goyal and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Harsh Goyal, Advocate,
for the petitioners.

Mr. Kunal Vinayak, AAG, Punjab

Mr. Ishan Gupta, Advocate and
Mr. Gagandeep Singh, 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.0002 dated 01.01.2021, under Sections 323, 452, 148, 149 and 506 IPC, registered at Police Station Salem Tabri, District Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 27.07.2022 (Annexure P-4).

2. As per the allegations levelled in the FIR, the petitioners forcibly entered into the factory and gave beatings to the complainant as well his sons with sticks.

3. In pursuance to order dated 28.04.2023 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 25.05.2023 has been received from the concerned court, stating that the compromise between the parties is genuine, voluntary and the same has been effected between the parties without any pressure, 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

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aforementioned judgments, the FIR No.0002 dated 01.01.2021, under Sections 323, 452, 148, 149 and 506 IPC, registered at Police Station Salem Tabri, District Ludhiana (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.10,000/- to be deposited with the Punjab Legal Services Authority, Chandigarh, within a period of two weeks from today.

01.06.2023
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(HARKESH MANUJA)
JUDGE

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