

CRM-M No.24421 of 2021 (O&M)

2023:PHHC:154608

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

268-2

CRM-M No.24421 of 2021 (O&M)
Date of Decision: 04.12.2023

SARUP SINGH AND OTHERS

.....Petitioners

Vs

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. L.S. Sidhu, Advocate
for the petitioners.

Mr. Gurlal Singh Dhillon, Asstt. A.G., Punjab.

Mr. Shubham Mehta, Advocate
for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.156 dated 14.08.2020 registered under Section 336 IPC and Sections 25/27 of the Arms Act, 1959 at Police Station Chheharta, District Amritsar (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 03.02.2021 (Annexure P-2).

2. Vide order dated 16.10.2023 passed by this Court, both the parties were directed to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the compromise in terms of earlier order dated 28.09.2022 passed by the Court.

3. In pursuance of the aforesaid order dated 16.10.2023 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 04.11.2023 has been received from the concerned court, stating that compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. 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 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 present 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 report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.156 dated 14.08.2020 registered under Section 336 IPC and Sections 25/27 of the Arms Act, 1959 at Police Station Chheharta, District Amritsar (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 cost(s) of Rs.10,000/- to be deposited by the petitioners with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

December 04, 2023	(HARKESH MANUJA)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No