

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(202)

CRM-M-22466-2023

Date of decision:-29.09.2023

Ram Singh and another**...Petitioners****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Priyanshu Kamra, Advocate for the petitioner.

Mr. A.P.S. Tung, AAG, Punjab.

Mr. Kuldip Singh, Advocate for

Mr. Sukhpreet Singh Kaler, Advocate for respondents No.2 and 3.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.27 dated 25.03.2023 under Sections 458, 323, 324, 427, 148 and 149 of IPC, 1860, registered at Police Station Hathur, District Ludhiana Rural, Punjab, Annexure P-1, alongwith all subsequent proceedings arising therefrom, on the basis of compromise deed dated 19.04.2023, Annexure P-2

2. Counsel for the petitioner submits that altercation ensued between the parties due to a misunderstanding which has been removed and the dispute has been amicably settled.

3. He submits that the parties have appeared before the Magistrate and their statements have been recorded in support of the compromise.

4. State counsel has filed reply by way of an affidavit of DSP, Raikot, District Ludhiana (Rural) on behalf of respondent No.1-State and submits that both the sides have received injuries. By making a reference to the reply, he

submits that both the petitioners left the hospital against medical advice. Still further, he states that although petitioner No.1 was involved in three criminal cases but he has been acquitted in two cases and the 3rd FIR has been quashed.

5. Counsel representing complainant-respondent No.2 and injured-respondent No.3 submits that they do not have any objection in case the criminal proceedings are set aside..

6. Heard counsel for the parties.

7. Pursuant to order dated 05.05.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“Both the petitioners and complainant along-with injured stated that they have compromised the matter with the intervention of the respectable persons of the society at their own free will and consent, voluntarily without any pressure and now they have no grudge against each other. Further, complainant and injured have also stated that no other person was injured/victim/aggrieved in the present case.

I am satisfied with regard to the authenticity of the compromise and the fact that it has been arrived at without any kind of undue influence or pressure. The above named parties have placed on record their identity proofs which are correct as per original and copies of the same are attached herewith for your kind perusal and both the above named parties have been duly identified by their respective counsel.

It was assured beforehand that both the petitioners and complainant are giving their statements voluntarily without any

pressure and I am satisfied that the compromise effected between them is genuine and voluntary and without any coercion or undue influence.”

8 In view of the above reproduced report given by the learned Magistrate and the judgment of the Supreme Court in ***Gian Singh versus State of Punjab and another, 2012(4) RCR (Criminal) 543*** and a Full Bench of this Court in ***Kulwinder Singh Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, this Court is of the view that keeping the criminal proceedings pending would be a futile exercise and setting them aside would enable the parties to lead a harmonious and peaceful life.

9. Accordingly, the petition is allowed. FIR No.27 dated 25.03.2023 under Sections 458, 323, 324, 427, 148 and 149 of IPC, 1860, registered at Police Station Hathur, District Ludhiana Rural, Punjab, Annexure P-1 along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

29.09.2023
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Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No