

252 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42657-2020
DATE OF DECISION:-15.03.2023

Lakhwinder Singh and others ...Petitioners.

vs.

State of Punjab and another ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. B.S. Jaswal, Advocate,
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Karan Dhawan, 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.125 dated 09.10.2019, under Sections 307, 427, 506, 148, 149 IPC and Section 25/27 of the Arms Act, 1959, registered at Police Station Tarsikka, District Amritsar (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise deed dated 25.06.2020 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners while armed with deadly weapons, abused the complainant as well as his brother, in front of his house and also tried to break the gate and threw stones etc. inside his house, besides it, they threatened to kill them, as well.

3. In pursuance to an order dated 18.12.2020 passed by this Court, whereby the parties were directed to appear before the trial Court for getting their statements recorded, a report dated 22.02.2021 has been received from the concerned court stating that the compromise has been entered into between the petitioners/accused and complainant/respondent No.2 voluntarily, out of their free will and without any pressure or coercion and the same appears to be genuine one. It also finds mentioned that there are total 08 accused i.e. present petitioners and one complainant-Bikramjit Singh, who came present for recording of their statements. No accused has been declared as PO.

4. Though, the FIR in question was registered under Section 307 IPC, however, it is a no injury case and in particular, the dispute relates to the family members only, who are closely related to each other involving two brothers and their children and for maintaining peace among themselves as well as to protect the relationship between the parties and their generations to come, they have entered into a settlement. Thus, 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; the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. 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 directions issued by this 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, FIR No.125 dated 09.10.2019, under Sections 307, 427, 506, 148, 149 IPC and Section 25/27 of the Arms Act, 1959, registered at Police Station Tarsikka, 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 costs of Rs.25,000/- to be deposited by the petitioners with the Punjab and Haryana High Court Bar Association, within a period of two weeks from today.

15.03.2023
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(HARKESH MANUJA)
JUDGE

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