

CRM-M-22950-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

(280)

CRM-M-22950-2023  
Date of Decision:- 02.08.2023

Nikhil Thakur

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sunil Agnihotri, Advocate  
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab  
for State-respondent No.1.

Mr. C.S.Singhal, Advocate for  
Mr. Vishal Munjal, Advocate  
for the respondent No.2.

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**SUVIR SEHGAL, J. (Oral)**

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0030 dated 21.04.2023, registered for offences under Sections 384, 506 and 427 of the Indian Penal Code, 1860, at Police Station Gardhiwala, District Hoshiarpur, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 29.04.2023, Annexure P-2, arrived at between the parties.

2. Pursuant to order dated 08.05.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

*“ It is respectfully submitted that as per the directions of Hon’ble Punjab & Haryana High Court, I have recorded the statement of parties on 29.05.2023 in FIR No. 30 dated 21.04.2023 registered under Section 384, 506, 427 of IPC, PS Gardhiwala, District Hoshiarpur. Statement of investigating officer is also recorded on 01.07.2023. Both the parties in their respective statements have stated that matter has been mutually compromised between the parties and now no grudge or enmity remains between the parties. I have inquired the factum of compromise from the parties present in the Court who endorsed the fact of effecting of compromise between them with their free volition. It has also been verified from the investigating officer that the complainant or the accused are not involved in any other criminal case and they have also not been declared proclaimed person in any other criminal case. Nikhil Thakur is the only accused arraigned in the present FIR and there is no other accused. From the statements of the parties as well as the other circumstance, it seems that the compromise has been effected between the parties with their free consent and without any inducement or threat of any person.”*

3. Counsel representing respondent No.2 does not have any objection in case the compromise is given effect to.
4. Heard counsel for the parties.

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5. Dispute has been amicably resolved amongst the parties with the intervention of the respectables by virtue of compromise, Annexure P-2.
6. In view of the report given by the Trial Court 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 alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.
7. Accordingly, the petition is allowed. FIR No.0030 dated 21.04.2023, registered for offences under Sections 384, 506 and 427 of the Indian Penal Code, 1860, at Police Station Gardhiwala, District Hoshiarpur, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

(SUVIR SEHGAL)  
JUDGE

02.08.2023  
Kamal

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |