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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-32692-2023 in/and
CRM-M-3133-2021 (O&M)
Date of decision: 07.08.2023

Surinder Singh

...Applicant/Petitioner

VS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Deepak Agnihotri, Advocate,
for the applicant/petitioner.

Mr.Mohit Thakur, AAG, Punjab.

Mr.Pankaj Kakkar, Advocate,
for respondent no.4.

ARUN MONGA, J. (ORAL)**CRM-32692-2023**

Application herein is for amendment in prayer clause of the main petition.

Learned counsel for the applicant submits that there is a disparity between the head note and the prayer clause of the main petition.

Heard.

For the reasons stated in the application and the same being not opposed by the learned counsel for respondent no.4, prayer clause in the main case shall read as:-

"It is, therefore, respectfully prayed that on the basis of the compromise arrived at between the parties, the present petition may kindly be allowed and the F.I.R. No.31 dated 11.02.2018 u/s: 325/323/34 IPC (Annexure P-1) and all subsequent proceeding arising therefrom may kindly be quashed in the interest of justice and equity."

Registry to take steps accordingly. Disposed of.

CRM-M-3133-2021 (O&M)

Petitioner seeks quashing of FIR No.31 dated 11.02.2018 (Annexure P-1) registered under Sections 325 and 323 read with Section 34 of IPC, at Police Station

Nathana, District Bathinda, and all subsequent proceedings arising therefrom, on the basis of affidavits dated 28.02.2018 (Annexures P-3 and P-4).

2. Since quashing was sought on the basis of compromise, this Court on 31.03.2021 had directed the parties to appear before the *Illaq*a Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 17.05.2021 of learned Civil Judge (Junior Division), Bathinda, had been received. Report reveals that statements of complainant party i.e. respondent No.4 as also of accused/present petitioner herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.4 and accused/petitioner have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondent No.4 states that he would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled “*Ramgopal and anr. V. The State of Madhya Pradesh*”¹ and a Full Bench decision of this Court in “*Kulwinder Singh and others V. State of Punjab and others*”².

6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

7. Petition is thus allowed. FIR No.31 dated 11.02.2018 (Annexure P-1) registered under Sections 325 and 323 read with Section 34 of IPC, at Police Station Nathana, District Bathinda and all proceedings emanating there from *qua* the petitioner stand quashed.

¹Criminal Appeal No.1489 of 2012

8. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

07.08.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No