

249 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25736-2022
DATE OF DECISION:-14.02.2023

Sarbjit Singh @ Rocky Badshah

...Petitioner.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vivek Baghla, Advocate,
for the petitioner.

Mr. Ravinder Singh, AAG, Punjab.

Mr. A.S. Gagrha, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.0324 dated 22.09.2017, under Sections 323, 341, 365, 382, 506, 148 and 149 IPC, Police Station Zirakpur, District SAS Nagar (Mohali) along with all consequential proceedings arising out of the same, on the basis of compromise dated 27.05.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioner along with 4/5 unknown persons encircled the complainant and forcibly threw him into the car besides gave beatings. They took all his belongings, transferred Rs.16,000/- from his mobile's Paytm and also demanded ransom. Though, in

the FIR in question, it was mentioned that the petitioner besides 4/5 others were involved in the offence, however, upon investigation, challan was filed only against the present petitioner.

3. In pursuance to an order dated 04.07.2022 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 the compromise arrived at between them, a report dated 25.01.2023 has been received from the concerned court stating that the compromise is valid and genuine and has been effected voluntarily without there being any kind of influence, threat or coercion. It also finds mentioned in the report that except present petitioner, there are four other accused persons but their whereabouts were not known nor they were arrested. Accused-petitioner has not been declared as PO.

4. 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 therefrom against the petitioner; 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.0324 dated 22.09.2017, under Sections 323, 341, 365, 382, 506, 148 and 149 IPC, Police Station Zirakpur, District SAS Nagar (Mohali) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited 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.

14.02.2023

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(HARKESH MANUJA)
JUDGE

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