

CRM-M No.24895 of 2023

2023:PHHC:152672

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

266-2

CRM-M No.24895 of 2023

Date of Decision: 30.11.2023

RATTAN LAL AND OTHERS**.....Petitioners****Vs****STATE OF PUNJAB AND ANR****....Respondents****CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA***

Present: Mr. Parminder Singh, Advocate
for the petitioners.

Mr. Gurlal Singh Dhillon, Asstt. A.G., Punjab.

Mr. Arun Abrol, Advocate
for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.0049 dated 31.07.2017 registered under Sections 324/34 IPC (offence U/s 326 IPC added later on) at Police Station Bhaini Mian Khan, District Gurdaspur (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromises dated 30.03.2023 (Annexures P-4 and P-5) and affidavit of complainant/respondent No.2 dated 26.04.2023 (Annexure P-6).

2. It has been pointed out here that FIR in question was an offshoot of civil dispute pending between the parties which also stands settled in terms of compromise having been entered into between the parties and even RSA No.1227

CRM-M No.24895 of 2023

2023:PHHC:152672

of 2018 titled '*Rattan Lal vs. Ashok Kumar and others*' stands withdrawn vide order dated 26.04.2023 (Annexure P-3) passed by this Court.

3. Compromise has also been effected between the parties vide compromises dated 30.03.2023 (Annexures P-4 and P-5) and an affidavit dated 26.04.2023 (Annexure P-6) has also been filed by the complainant/respondent No.2 stating therein that the matter has been compromised on 30.03.2023 without any pressure and out of free will.

4. Thus once, the compromise has been arrived at between the parties without any pressure and out of free will 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; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. 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 and affidavit furnished by complainant/respondent No.2.

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 direction issued by the 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 compromise and affidavit furnished by complainant/respondent No.2 as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.0049 dated 31.07.2017 registered under Sections 324/34 IPC (offence U/s 326 IPC added later on) at Police Station Bhaini Mian Khan, District Gurdaspur (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 cost(s) of Rs.10,000/- each on the petitioners 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.

November 30, 2023
Atik

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No