

CRM-M No.25157 of 2023

2023:PHHC:152654

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

266

CRM-M No.25157 of 2023

Date of Decision: 30.11.2023

RAJINDERPAL @ HARJINDER PAL AND OTHERS**.....Petitioners****Vs****STATE OF PUNJAB AND ANR****....Respondents****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Arun Abrol, Advocate
for the petitioners.

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

Mr. Parminder Singh, 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 Complaint No.170 of 2017 dated 15.09.2017 under Sections 326/323/447/120-B IPC (Annexure P-1), Summoning order dated 21.11.2018 (Annexure P-2) passed by the Judicial Magistrate Ist Class, Gurdaspur along with all consequential proceedings arising therefrom on the basis of compromises dated 30.03.2023 (Annexures P-5 and P-6) and affidavit of complainant/respondent No.2 dated 26.04.2023 (Annexure P-7).

2. It has been pointed out here that the complaint 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No.1227 of 2018 titled '*Rattan Lal vs. Ashok Kumar and others*' stands withdrawn vide order dated 26.04.2023 (Annexure P-3) passed by this Court.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-5 and P-6) and an affidavit dated 26.04.2023 (Annexure P-7) 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 Complaint 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 Complaint qua the petitioners. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the present 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 Complaint 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 Complaint. 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, Complaint No.170 of 2017 dated 15.09.2017 under Sections 326/323/447/120-B IPC (Annexure P-1), Summoning order dated 21.11.2018 (Annexure P-2) passed by the Judicial Magistrate Ist Class, Gurdaspur 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
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(HARKESH MANUJA)
JUDGE

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