

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

247

CRM-M-26036-2023

Date of decision: 21.09.2023

Abhimanyu Bawa and another

....Petitioners

V/s

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Rajiv Joshi, Advocate for the petitioners.

Mr. Madhur Sharma, AAG Punjab.

Ms. Priyanka Negi, Advocate for respondent No.2

ARUN MONGA, J. (Oral)

Petitioners seek quashing of FIR No.33 dated 16.04.2023 (Annexure P-1), registered under Sections 323, 324 read with Section 34 IPC, at Police Station, PS Nurmehal, District Jalandhar and all subsequent proceedings arising therefrom, on the basis of compromise dated 06.05.2023 (Annexure P-2).

2. Since quashing was sought on the basis of compromise, a coordinate Bench of this vide order dated 22.05.2023 had directed the parties to appear before the *Illaqa* Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 15.06.2023 of learned Judicial Magistrate Ist Class, Phillaur, had been received. Report reveals that statements of complainant party i.e. respondent No.2 as also of accused/present petitioners 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.2 and accused/petitioners herein, have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondent No.2 states that she 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.33 dated 16.04.2023 (Annexure P-1), registered under Sections 323, 324 read with Section 34 IPC, at Police Station, PS Nurmehal, District Jalandhar and all subsequent proceedings emanating there from stand quashed.

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

(ARUN MONGA)
JUDGE

September 21, 2023

Ajay

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052