

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27475-2023

Date of decision:-24.08.2023

Amardeep Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Piyush Sharma Advocate
for the petitioners.

Mr.Anup Singh, AAG, Punjab.

Mr.Aman Kumar, Advocate
for respondent No.2/complainant.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.218 dated 29.07.2017, under Sections 452, 323, 506, 34 IPC, registered at Police Station City, Ferozepur (Annexure P1), along with all subsequent proceedings arising therefrom and the judgment of conviction and order of sentence dated 04.07.2019 passed by learned Judicial Magistrate Ist Class, Ferozepur, Annexure P2, on the basis of compromise dated 22.05.2023, Annexure P3, arrived at between the parties.

2. Counsel for the petitioners submits that the FIR is an outcome of financial dispute, which resulted in an altercation between the parties, and has been amicably settled between the parties. Counsel

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has placed reliance upon a Division Bench judgment of this Court in case **Sube Singh & Another Versus State of Haryana & Another, 2013(4) RCR (Criminal) 102** to contend that the criminal proceedings can be quashed during the pendency of the appeal against conviction of the accused on the basis of settlement between the parties.

3. Counsel for the respondent No.2/complainant has admitted the factum of compromise.

4. Heard counsel for the parties.

5. Pursuant to order dated 29.05.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“1. As per statement of complainant as well as accused, the compromise has been effected between the parties without any inducement, pressure, threat or coercion and seems to be genuine one.

2. As per statement of Investigating Officer, no accused has been declared proclaimed offenders in this case at any stage of trial.”

6. In view of this development, report of the Trial Court and judgment of the Supreme Court in **Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543** and a Full Bench of this Court in **Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

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7. Accordingly, the petition is allowed. FIR No.218 dated 29.07.2017, under Sections 452, 323, 506, 34 IPC, registered at Police Station City, Ferozepur, Annexure P1, along with all subsequent proceedings arising therefrom including judgment of conviction and order of sentence dated 04.07.2019, Annexure P2, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

24.08.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No