

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(255)

CRM-M-29373-2022

Date of Decision: 21.03.2023

Hardeep Singh @ Happy and Anr.

...Petitioners

Versus

State of Punjab and Anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Lupil Gupta, Advocate, for the Petitioners.

Mr. Amit Shukla, AAG, Punjab.

Mr. Rohit Sharma, Advocate, for the respondent No.2.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioners pray for quashing of FIR No.160 dated 12.06.2018, registered under Sections 341, 323, 427, 506, 34 IPC, 1860, registered at Police Station City Jagraon, District Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 26.05.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, due to some altercation, petitioners inflicted injuries upon the person of complainant, resulting into the registration of present FIR.

3. In pursuance to an order dated 10.01.2023 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 21.02.2023 has been received from the concerned court, stating that the compromise between the petitioners and complainant-Harjinder Singh is valid, genuine, voluntary and without any

coercion or undue influence. It also finds mentioned that FIR has also been registered against 4 accused namely Hardeep Singh, Amandeep Singh, Pritpal Singh @ Pawandeep Singh and Paramjit Singh @ Kaka. Upon investigation, Pritpal Singh @ Pawandeep Singh and Paramjit Singh @ Kaka were declared innocent by the investigating agency, however, they have been impleaded as respondents No.3 and 4 herein but challan was presented only against the petitioners namely Hardeep Singh and Amandeep Singh. Statements of both the parties have been recorded. No accused has been declared as PO. There is no other criminal case pending against the petitioners.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 have 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.

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 aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the present petition is allowed and FIR No.160 dated 12.06.2018, registered under Sections 341, 323, 427, 506, 34 IPC, 1860, registered at Police Station City Jagraon, District Ludhiana (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners only.

7. The aforesaid order shall however, be subject to payment of costs of Rs.20,000/- to be deposited by the petitioners 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.

Petition stands disposed of

(HARKESH MANUJA)
JUDGE

21.03.2023
anil

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