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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-28001-2023 (O&M)

Date of decision: 25.08.2023

Shamsher Singh and another

...Petitioners

VS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr.Sukhbir Maandi, Advocate,
for the petitioners.

Mr.Mohit Thakur, AAG, Punjab.

Mr. Ranjot Singh, Advocate
for respondents no.2 and 3.

ARUN MONGA, J. (ORAL)

Petitioners seek quashing of FIR No.52 dated 05.05.2023 (Annexure P-1) registered under Sections 323, 324, 506, 148 and 149 of the IPC (with Section 326 IPC added later on), at Police Station Khilchian, District Amritsar (Rural), and all subsequent proceedings arising therefrom, on the basis of compromise dated 17.05.2023 (Annexure P-2), arrived at between the private parties.

2. Since quashing was sought on the basis of compromise, a co-ordinate Bench of this Court vide order dated 31.05.2023 had directed the private parties to appear before the *Illaq*a Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 26.07.2023 of learned Judicial Magistrate First Class, Baba Bakala Sahib, had been received. Report reveals that statements of complainant party i.e. respondents no.2 and 3 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/respondents no.2 and 3 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondents no.2 and 3 states that they 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.52 dated 05.05.2023 (Annexure P-1) registered under Sections 323, 324, 506, 148 and 149 of the IPC (with Section 326 IPC added later on), at Police Station Khilchian, District Amritsar (Rural), and all proceedings emanating there from *qua* the petitioners stand quashed.

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

(ARUN MONGA)
JUDGE

25.08.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No

¹Criminal Appeal No.1489 of 2012