

CRM-M-28017-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

264/2

CRM-M-28017-2023

Date of decision: 31.08.2023

Harjit Singh and others

....Petitioners

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Ankush Rampal, Advocate for the petitioners.

Mr. Madhu Sharma, AAG Punjab.

Mr. Kushagra Mahajan, Advocate for respondent Nos.2 to 4.

ARUN MONGA, J. (Oral)

Petitioners seeks quashing of FIR No.224, dated 18.09.2021 under Sections 323, 324, 506 read with Section 34 IPC, at Police Station Sadar, District Amritsar and all subsequent proceedings arising therefrom, on the basis of compromise dated 18.05.2023 (Annexure P-2), which is stated to have been effected between the parties.

2. Since quashing was sought on the basis of compromise, this Court vide order dated 31.05.2023 had directed the 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 19.08.2023 of learned Additional Chief Judicial Magistrate, Amritsar, had been received. Report reveals that statements of complainant party i.e., respondent Nos. 2 to 4 as also of accused/present petitioners Nos. 1, 2, 4, 5, 6 and 7 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 Nos. 2 to 4 and accused/petitioners Nos. 1, 2, 4, 5, 6 and 7 herein, have arrived at a compromise voluntarily and without any coercion.

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As per the report, petitioner No.3-Jaskirat Singh did not appear to record his statement *qua* compromise.

4. Learned counsel for complainant/respondent Nos. 2 to 4 states that he 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 *qua* petitioners Nos. 1, 2, 4, 5, 6 and 7 herein. FIR No.224, dated 18.09.2021 under Sections 323, 324, 506 read with Section 34 IPC, at Police Station Sadar, District Amritsar and all subsequent proceedings emanating therefrom *qua* petitioners Nos. 1, 2, 4, 5, 6 and 7, stand quashed.

8. The petition in respect of petitioner No.3-Jaskirat Singh stands disposed of with liberty to approach the Court after getting his statement recorded *qua* compromise before the trial Court.

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

(ARUN MONGA)
JUDGE

August 31, 2023

Ajay

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052