

260-A

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-29778-2023 (O&M)
Date of decision: 06.09.2023****Kuldeep Singh and others****...Petitioners****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE ARUN MONGA****Present:-** Mr. Rahul Bansal, Advocate,
For the petitioners.

Mr. Shubham Kaushik, AAG, Punjab.

Mr. Arshit Goel, Advocate,
For respondents No.2 to 5.**ARUN MONGA, J. (ORAL)**

The instant petition has been filed under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') seeking quashing of cross case registered vide GD No.39 dated 14.07.2022 under Sections 323, 341, 506, 148 read with Section 149 of Indian Penal Code, 1860 (for short 'IPC') in FIR No.0127 dated 14.07.2022, registered at Police Station Pasyana, District Patiala and subsequent proceedings thereto, on the basis of compromise dated 29.05.2023 (Annexure P-3), which is stated to have been entered into between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 03.07.2023 had directed the parties to appear before the *Illaga* Magistrate/ trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Placed on record is a report dated 05.08.2023 of learned Judicial Magistrate Ist Class, Patiala and a perusal of the same would reveal that the statements of the complainant/respondents No.2 to 5 as also of the accused/present petitioners herein have been duly recorded and it has been opined that a compromise has been arrived and is authentic, genuine, voluntarily and out of free will of the parties. The report is accompanied by the statements of the parties which were duly recorded.

5. Learned counsel appearing on behalf of respondents No.2 to 5 also makes a statement that the compromise having been effected with the petitioners, he would have no objection to the quashing of FIR in question.
6. 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.
7. Adverting back to the facts of present case, it is apparent that the complainant/respondents No.2 to 5 and accused/petitioners are known to each other and compromise has been arrived at between the parties voluntarily and without any coercion.
8. In the considered view of this Court, it would be an appropriate case for exercise of power under Section 482 Cr.P.C. and to buy peace and to bring to an end the criminal proceedings initiated in the light of the impugned FIR.
9. For the reasons recorded above, the present petition is allowed. Cross case registered vide GD No.39 dated 14.07.2022 under Sections 323, 341, 506, 148 read with Section 149 of Indian Penal Code, 1860 (for short 'IPC') in FIR No.0127 dated 14.07.2022, registered at Police Station Pasyana, District Patiala and all proceedings emanating therefrom *qua* the petitioners stand quashed.
10. Pending application(s), if any, shall also stand disposed of.

SEPTEMBER 06, 2023
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No

¹ Criminal Appeal No.1489 of 2012

SHALINI BHATIA² 2007 (3) RCR (Criminal) 1052
2023.09.11 18:55
I attest to the accuracy and
integrity of this order/ judgment