

CRM-M-29852-2023

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-29852-2023

Date of decision:-29.08.2023

Kamal Kant and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Rahul Garg, Advocate
for petitioners.

Mr.Anup Singh, AAG, Punjab.

Mr.Raman Kumar, Advocate for
Mr.Bharat Puri Advocate
for respondents No.2 to 4.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of Cross FIR No.0135 dated 21.06.2019, under Sections 323, 341, 324, 506, 427, 148, 149 and 34 IPC, registered at Police Station Rama Mandi, District Police Commissionerate, Jalandhar, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 24.04.2023, Annexure P2, arrived at between the parties.

2. Counsel for petitioners submits that the FIR is an outcome of a minor altercation, which has been amicably settled between the

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parties.

3. Counsel appearing for respondents No.2 to 4 has admitted the factum of compromise.

4. Heard counsel for the parties.

5. Pursuant to order dated 03.07.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“On the basis of statements made by the parties before me, the compromise on the face of it appears to be genuine one having been arrived at by the parties with free will without any pressure or coercion. There is nothing on the record to doubt the genuineness of the compromise so arrived at between the parties. There are three complainants, no accused has been declared proclaimed offender in this case and above named accused are not involved in any other case. Challan in the above said FIR is yet to be presented.”

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.

7. Accordingly, the petition is allowed. Cross FIR No.0135 dated 21.06.2019, under Sections 323, 341, 324, 506, 427, 148, 149 and

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34 IPC, registered at Police Station Rama Mandi, District Police Commissionerate, Jalandhar, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

29.08.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No