

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29823-2023

Date of decision:-29.08.2023

Sobit and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Raman Kumar, Advocate for
Mr.Bharat Puri Advocate
for the petitioners.

Mr.Anup Singh, AAG, Punjab.

Mr.Rahul Garg, Advocate
for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.0135 dated 21.06.2019, under Sections 323, 324, 506, 427, 148 and 149 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 appearing for the petitioners submits that the FIR is an outcome of a minor altercation, which has been amicably settled between the parties.

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3. Counsel for respondent No.2/complainant 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 is only one complainant, no accused has been declared proclaimed offender in this case and above named accused are not involved in any other case except accused Kaka. 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. FIR No.0135 dated 21.06.2019, under Sections 323, 324, 506, 427, 148 and 149 IPC, registered at Police Station Rama Mandi, District Police

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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