

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(258)

CRM-M-35837-2021

Date of Decision: 22.03.2023

Swaranjit Kaur and Ors.

...Petitioners

Versus

State of Punjab and Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Manjot Kaur, Advocate, for
Mr. S. S. Gill, Advocate, for the petitioners.

Mr. Amit Shukla, AAG, Punjab.

Mr. Aman Mittal, Advocate, for respondents No.2 and 3.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioners pray for quashing of FIR No.100 dated 14.07.2015, registered under Sections 323, 324, 506, 148, 149, 201 IPC, 1860 at Police Station Passiana, District Patiala (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 14.08.2021 (Annexure P-4).

2. In the present case, due to some altercation, petitioners have given beatings to the complainant party, resulting into the registration of present FIR. Initially the FIR in question was registered against 11 persons, however, out of those namely Mandeep Singh S/o Karnail Singh and Gurwinder Singh @ Momi son of Sukhchain Singh were declared innocent and as such, *challan* was filed against petitioners only.

3. In pursuance to an order dated 02.02.2023 passed by this Court,

their statements recorded as regards, the veracity of compromise arrived at between them, report dated 27.02.2023 has been received from the concerned court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or under influence. There is no other accused except the present petitioners and there are two respondents/complainant namely, Gurtej Kaur and Surinder Kaur. No accused has been declared as proclaimed offender. The stage of trial was fixed for evidence of prosecution.

4. Learned counsel for the petitioners submits that once, the compromise has been arrived at between the parties without any pressure and respondent No.2 & 3 have no objection as regards quashing of FIR as well as other subsequent proceedings arising out of the same against the petitioners, the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He further submits that in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. On the other hand learned State counsel submits that injuries have been inflicted upon the person of victim.

6. Having heard learned counsel for the parties, they having settled their dispute so as to live peacefully in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is found to be

& Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.

7. Thus in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgment, the present petition is allowed and FIR No.100 dated 14.07.2015, registered under Sections 323, 324, 506, 148, 149, 201 IPC, 18060 at Police Station Passiana, District Patiala (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed.

8. The aforesaid order shall however, be subject to payment of costs of Rs.20,000/- to be deposited by the petitioners with the Punjab and Haryana High Court Association Lawyer’s Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

Petition stands disposed of

(HARKESH MANUJA)
JUDGE

22.03.2023
anil

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