

CRM-M-31156-2023

-1-

273

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

CRM-M-31156-2023

Date of decision:-29.08.2023

Jasbir Singh @ Jaspreet Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.H.S. Batth, Advocate
for the petitioners.

Mr.Anup Singh, AAG, Punjab.

Mr.Divyansh Vats, Advocate for
Mr.Amritpal Singh Sohal, 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.0091 dated 08.06.2023, under Sections 428, 429, 188 IPC, registered at Police Station Sirhali, District Tarn Taran, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 13.06.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioners submits that the FIR has been registered as due to an accident the cattle shed of the complainant caught fire, resulting in the death of a milch cattle. Counsel submits that the complainant has been adequately compensated and the dispute has been

273

amicably settled between the parties.

3. Upon instructions, State counsel submits that the matter is under investigation.

4. Counsel for the respondent No.2/complainant has admitted the factum of compromise.

5. Heard counsel for the parties.

6. 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:-

“1. As per the statement of IO ASI Dilbagh Singh 1748/TT, there are 3 persons arraigned as accused in this FIR and all the accused came present for getting recorded their statements in the court and no accused have been declared Proclaimed Offender in this FIR.

2. As per the statement of IO ASI Dilbagh Singh 1748/TT, there is only one complainant or injured/aggrieved namely Atma Singh son of Buta Singh r/o village Khara, Tehsil Patti, District Tarn Taran who appeared and made statement in the Court.

3. As per the IO ASI Dilbagh Singh 1748/TT, the present case is at the stage of investigation.

4. As per the statement of IO ASI Dilbagh Singh 1748/TT, and the parties that the compromise is genuine, voluntary and out of free will of the parties.

5. As per the statement of IO ASI Dilbagh Singh 1748/TT, no accused is involved in any other criminal case.”

273

7. 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.

8. Accordingly, the petition is allowed. FIR No.0091 dated 08.06.2023, under Sections 428, 429, 188 IPC, registered at Police Station Sirhali, District Tarn Taran, 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