

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

CRM-M-36606-2021

Date of Decision: March 28, 2023

MANJIT SINGH ALIAS MOHIT AND ORS

..... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rajesh Gupta, Advocate for petitioners.

Mr. V.K. Gupta, AAG, Punjab.

Mr. Shivam Vashisht, Advocate for

Mr. Gulzar Mohammad, Advocate for respondent No.2.

HARKESH MANUJA, J. (ORAL)

By way of present first petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.111 dated 14.07.2021, under Sections 407 and 120-B IPC registered at Police Station City Khanna, District Ferozepur (Annexure P1) along with all consequential proceedings arising therefrom qua the petitioners on the basis of compromise dated 20.08.2021 (Annexure P-2).

2. As per the allegations levelled in the FIR, the accused Gagandeep Singh and Rimpa sold the 18 tonnes of iron scrap belonging to complainant to accused Arun Kumar(petitioner No.3), Parveen Kumar(petitioner No.2), Manjit Singh(petitioner No.1) and accused-Sanju.

3. In pursuance to an order dated 11.10.2022 passed by this Court, whereby the parties were directed to appear before the trial court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 18.12.2022 has been received from the concerned court, stating that the compromise

between the complainant-Jasvinder Singh and three petitioners namely, Manjit Singh, Parveen Kumar and Arun Kumar is valid, genuine, voluntary and without any coercion or undue influence. There are three other accused persons and no accused has been declared as PO.

4. Thus, once the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, 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. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. Though originally the FIR in question was registered against six persons including the present petitioners, however, as per the petition the settlement has been arrived at between the complainant and the petitioners only. 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 even found to be fully in consonance with the direction issued by the Court in **Kulwinder Singh & Ors. Vs. State of Punjab**

2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab.

Further, learned counsel for the petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in **Jayrajsinh Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589** and this Court in **Joginder Singh & another Vs. State of Punjab and another, passed in CRM-M-23739- 2010** decided on 27.04.2011, **Rajinder Singh Vs. State of Punjab & another, passed in CRM-M- 37395-2016** decided on 16.05.2017 and **Vimal Kalra & others Vs. State of Punjab & another, passed in CRMM-20355-2022**, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

6. 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 judgments, the FIR No. 111 dated 14.07.2021, under Sections 407 and 120-B IPC as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners only.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.15,000/- to be deposited 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

28.03.2023
tejwinder

(**HARKESH MANUJA**)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

