

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32974-2023

Date of decision:-07.11.2023

Sahil and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Shubham Thakur, Advocate
for the petitioner.

Mr.Anup Singh, AAG, Punjab.

Mr.Sylvester Stephen, 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.281 dated 08.09.2022, under Sections 323, 324, 452, 148, 149, 506 IPC, registered at Police Station Kotwali, Kapurthala, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 23.09.2022, Annexure P2, arrived at between the parties.

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

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

299

4. Heard counsel for the parties.

5. Pursuant to order dated 16.08.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“1. It is respectfully submitted that there are 8 accused in the present FIR and all the accused had appeared before this Court to give statement regarding compromise. Further, as per the statement of the IO, all the accused have not joined the investigation in the present FIR and all the accused have not been declared PO in the present FIR.

2. It is respectfully submitted that, as per the statement of the IO, there is only one injured in the present FIR i.e. the complainant namely Gurpreet Singh s/o Gurnam Singh r/o village Thikriwal, PS Kotwali, Kapurthala. Gurpreet Singh s/o Gurnam Singh had appeared before this Court and suffered a statement in support of the compromise.

3. It is respectfully submitted that till date challan has not been presented in the present FIR.

4. It is respectfully submitted that from the statements of the parties it appears that the compromise arrived between them is genuine, voluntary and out of their free will.

5. It is respectfully submitted that, as per the statement of the IO, the record of PS Kotwali, Kapurthala showed that all the accused were not involved in any other FIR.”

6. In view of the report given by the learned Magistrate 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.281 dated 08.09.2022, under Sections 323, 324, 452, 148, 149, 506 IPC, registered at Police Station Kotwali, Kapurthala, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

07.11.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No