

CRM-M-32140-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH  
(244)

CRM-M-32140-2023

Date of Decision:- 15.12.2023

Arjun Kumar and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mohd. Yousaf, Advocate for the petitioners.

Mr. Kanwar Jeet Singh, AAG, Punjab  
for State-respondent No.1.

Ms. Arzoo Modi, Advocate for  
Mr. Sahil Thakur, Advocate  
for complainant-respondent No.2 and victim-respondent No.3.

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**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.116 dated 10.09.2022, registered for offences under Sections 323, 341, 452, 379, 506, 148, 149 and 427, IPC, at Police Station Daresi, Police Commissionerate Ludhiana, District Ludhiana, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 23.06.2023, Annexure P-2, arrived at between the parties.

2. Counsel for the petitioner submits that FIR, Annexure P-1, is an outcome of a minor altercation between the parties due to a misunderstanding, which has been resolved. He submits that all the three petitioners are youngsters with clean antecedents, who have appeared

before the Area Magistrate and recorded their statements in support of the settlement.

3. Upon instructions received from SI, Sukhdev Singh, State counsel submits that the matter is under investigation.

4. Counsel representing complainant-respondent No.2 and victim-respondent No.3 do not have any objection in case the criminal proceedings are quashed.

5. Heard counsel for the parties.

6. Pursuant to order dated 06.07.2023 passed by this Court, report has been received from the learned Judicial Magistrate, relevant extract of which is as under:-

*“1. It is respectfully submitted that as per record and as per the statement of Investigating Officer, there are four accused namely Arjun Kumar, Jatin, Lavish @ Dinesh Kumar, Rishi @ Rishi Karan Ghai and three accused namely Arjun Kumar, Jatin, Lavish @ Dinesh Kumar appeared before the court on 19.07.2023 as per directions and made statement regarding compromise. Accused Rishi @ Rishi Karan Ghai got recorded his statement on 29.08.2023. No accused has been declared absconding/proclaimed offender in the case.*

*2. It is respectfully submitted that complainant namely Naseem Khan and one injured namely Mohsin Khan appeared before the court on 19.07.2023 as per directions and made their statement in support of compromise with all the accused persons.*

*3. It is submitted that challan has not been presented till today in the Court.*

*4. In view of statements given by the parties, this Court is of the considered opinion that compromise effected between parties is genuine and it is effected voluntarily and out of free will of parties.*

*5. As per statement of IO SI Sukhdev, the accused is not involved in any other case in Police Station, Daresi, Ludhiana.”*

7. In view of the report given by the learned Magistrate and the 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 bring an end to the animosity enabling the parties to lead a harmonious and peaceful life.

8. Accordingly, petition is allowed. FIR No.116 dated 10.09.2022, registered for offences under Sections 323, 341, 452, 379, 506, 148, 149 and 427, IPC, at Police Station Daresi, Police Commissionerate Ludhiana, District Ludhiana, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)  
JUDGE

15.12.2023  
Kamal

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|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |