

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

CRM-M-45047-2023

Date of decision:-24.11.2023

Jatinder Singh alias Rinku and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Manmeet Singh, Advocate for
Mr.Bharat Puri, Advocate
for the petitioners.

Mr.Anup Singh, AAG, Punjab.

Mr.Rahul Garg, 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.0158 dated 07.11.2019, under Sections 381, 34 IPC (offence under Section 411 IPC was added later on), registered at Police Station Division No.8, District Police Commissionerate, Jalandhar (Annexure P1), along with all subsequent proceedings arising therefrom, on the basis of compromise dated 04.07.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioners submits that the FIR is an outcome of a misunderstanding, which has been removed and dispute has been amicably settled between the parties.

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

4. Heard counsel for the parties.

5. Pursuant to order dated 11.09.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“(i) Two persons namely Jatinder Singh @ Rinku and Dhian Chand have been arrayed as accused in the present FIR.

(ii) None of accused has been declared proclaimed person in this case.

(iii) Name of complainant/aggrieved is Rakesh Chadha and as per the statement of investigating officer there is only (sic one) victim of the present FIR namely Rakesh Chadha. Complainant Rakesh Chadha has appeared and made his statement in support of the compromise.

(iv) The trial of the present FIR case is fixed for prosecution evidence and is fixed for 14.11.2023.

(v) The compromise between the parties is found to be genuine, voluntary and without any undue influence or coercion.

(vi) As per the statement of IO no other FIR or criminal case is pending against any of the accused.”

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)***

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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.0158 dated 07.11.2019, under Sections 381, 34 IPC (offence under Section 411 IPC was added later on), registered at Police Station Division No.8, District Police Commissionerate, Jalandhar, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

24.11.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No