

250 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-35944-2022
DATE OF DECISION:-21.02.2023

Sunita Rani and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikas Bali, Advocate,
for the petitioners.

Mr. Amit Shukla, AAG, Punjab.

Mr. N.S. Lucky, Advocate and
Ms. Sukhwinder Kaur, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.44 dated 07.04.2022, under Sections 451, 323, 427, 120-B IPC (Section 458 IPC added later on), registered at Police Station City Phagwara, District Kapurthala (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 23.04.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, when a panchayat was convened in the house of complainant to settle the matrimonial dispute between him and petitioner No.1, all the petitioners forcibly entered in his house and gave injuries to him.

3. It is relevant to mention here that the FIR in question was got registered against 06 persons including, one Makhan Sidhu, besides the present petitioners, however, it has been pointed out that Makhan Sidhu was named on account of some *bona fide* mistake and wrong impression, whereas, there was no person named as Makhan Sidhu involved in the present incident, therefore, the present petition has been filed on behalf of 05 petitioners only.

4. In pursuance to an order dated 16.08.2022 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 21.09.2022 has been received from the concerned court stating that the compromise effected between the complainant-Randeep Kumar and accused-petitioners is genuine, voluntarily and without any coercion or undue influence. No accused has been declared as PO.

5. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising therefrom against the petitioner; the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. Even otherwise, in order to maintain peace and harmony between the parties, who happen to be residents of same vicinity and 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.

6. 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. 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 directions issued by this Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

7. 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, FIR No.44 dated 07.04.2022, under Sections 451, 323, 427, 120-B IPC (Section 458 IPC added later on), registered at Police Station City Phagwara, District Kapurthala (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

8. Accordingly, petition stands allowed subject to payment of costs of Rs.20,000/- 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.

21.02.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No