

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

(241)

CRM-M-35730-2022

Date of Decision: 27.02.2023

Jatinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. B. S. Sra, Advocate, for the petitioners.

Mr. Pankaj Khullar, AAG, Punjab.

Ms. Ruchi Sakhri, Advocate, for respondent No.2.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioners pray for quashing of FIR No.219 dated 28.05.2021, registered under Sections 325, 323, 341, 506, 34 IPC, 1860 at Police Sohana, District SAS Nagar, Punjab (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise & affidavit dated 14.07.2022 & 08.08.2022 (Annexure P-2 & P-3 respectively).

2. Reply has been filed by way of an affidavit of Harsimran Singh Bal, PPS, Deputy Superintendent of Police (City-II), District SAS Nagar, on behalf of respondent No.1-State. The same is taken on record.

3. In the present case, due to some altercation, petitioners have inflicted injuries to the complainant party, resulting into the registration of present FIR.

4. In pursuance to an order dated 16.01.2023 passed by this Court, whereby the parties were directed to appear before the trial Court for getting

between them, report dated 21.02.2023 has been received from the concerned court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or under influence. There is no other accused except the present petitioners and there is a sole complainant namely, Maan Singh. No accused has been declared as proclaimed offender. The stage of trial was fixed for evidence of prosecution.

4. Learned counsel for the petitioners submits that 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 other subsequent proceedings arising out of the same against the petitioners, the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He further submits that 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. On the other hand learned State counsel submits that petitioners have inflicted injuries to the complainant party due to some altercation.

6. Having heard learned counsel for the parties, they having settled their dispute so as to live peacefully 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 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 & 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 judgment, FIR No.219 dated 28.05.2021, registered under Sections 325, 323, 341, 506, 34 IPC, 1860 at Police Sohana, District SAS Nagar, Punjab (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed.

8. The aforesaid order shall however, be subject to payment costs of Rs.5000/- to be deposited with the Punjab and Haryana High Court Bar Clerks Association, within a period of two weeks from today.

Petition stands disposed of

(HARKESH MANUJA)
JUDGE

27.02.2023
anil

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No