

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33843-2023

Date of decision:-02.11.2023

Jagtar Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

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

Mr.Anup Singh, AAG, Punjab.

Ms.Mandeep Kaur, 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.0109 dated 08.09.2022, under Sections 325, 323, 34 IPC, registered at Police Station Rangar Nangal, Police District Batala, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 12.05.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioners submits that there was a monetary dispute between the petitioners and the complainant, which resulted in an altercation and FIR, Annexure P1 was registered. He submits that the dispute has been settled by compromise, Annexure P2

328

and the parties have appeared before the learned Judicial Magistrate and recorded their statements.

3. Upon instructions from ASI Hardev Singh, State counsel submits that the matter is under investigation.

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

5. Heard counsel for the parties.

6. Pursuant to order dated 17.07.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“1. As per the FIR, three persons namely Jagtar Singh, Lakhbir Kaur and Harmanpreet (sic Harmanjit) Singh, have been arraigned in the FIR. All the above named persons had appeared before the Court and their statements regarding compromise had been recorded. As per the statements of the Investigating Officers, none of the above named accused was absconding or has been declared P.O., in the case.

2. The name of the complainant is Paramjit Kaur wife of Mahinder Singh. She had appeared before the Court to suffer her statement. As stated by the Investigating Officer ASI Sarwan Singh Belt No.3015/Btl, P.S. Sri Hargobindpur, as per record, there was no other victim apart from the complainant Paramjit Kaur.

3. Only FIR has been registered in the present case. Further, the Investigating Officer ASI Surinder Singh Belt No.2309/Btl. P.S. Rangar Nangal stated that challan has not yet been presented

before the Court. He further stated that only the investigation is going on in the present case.

4. *From the statements suffered by the parties, it appears to the Court that the compromise is genuine. It seems that the compromise has been arrived between the parties, voluntarily and out of their free will.*

5. *As per the statements suffered by the Investigating Officers ASI Surinder Singh and ASI Sarwan Singh, no other criminal case is pending against the accused persons.”*

7. 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.

8. Accordingly, the petition is allowed. FIR No.0109 dated 08.09.2022, under Sections 325, 323, 34 IPC, registered at Police Station Rangar Nangal, Police District Batala, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

02.11.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No