

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

(247)

**CRM-M-39779-2021
Date of Decision: 02.02.2023**

Gurtej Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. D. R. Singla, Advocate, for
Mr. Inderjit Sharma, the petitioner.

Mr. Ravinder Singh, AAG, Punjab.

Mr. Mukesh Kumar Bhatnagar, 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.0045 dated 21.06.2021, registered under Sections 452, 323 of IPC of 1860 at Police Station Sadar Balianwali, District Bathinda (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise (Annexure P-2).

2. As per allegations levelled in the FIR, petitioner inflicted injuries to the complainant-party in an incident, resulting into the registration of the present FIR.

3. In pursuance to an order dated 23.09.2021 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, report dated 17.11.2021 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 one complainant-namely Hardev 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 respondents 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 the petitioner has inflicted injuries to the complainant with his weapon.

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

aforementioned judgment, FIR No.0045 dated 21.06.2021, registered under Sections 452, 323 of IPC of 1860 at Police Station Sadar Balianwali, District Bathinda (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed.

8. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.25,000/- by the petitioners within a period of two weeks from today in the following account:

Account Name-	Punjab and Haryana High Court Association Lawyer's Family Welfare Fund.
Account No.	41564846387.
Bank Name.	SBI High Court Branch.

Petition stands disposed of

(HARKESH MANUJA)
JUDGE

02.02.2023
anil

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