

opinion that compromise effected between the parties is genuine and compromise is not the result of any fraud or misrepresentation and is the result of free will of the parties. It is respectfully further submitted that as the statement of investigating officer of the present case there are five accused namely Dinesh Kumr @ Dinesh Kalair, Bharat Kumar @ Bharat Klair, Surinder Kumar @ Surinder Pal, Raj Kumari and Reena Rani @ Suman Bala were arrayed as accused in the present case i.e. FIR no.80 dt. 25.05.2015 u/s 323/341/354/427/148/149 IPC and Section 325 IPC added later on, P.S Maqsudan, Jalandhar. He further submitted that there is no other accused in the present FIR and none of the parties involved or declared proclaimed offender in any other criminal case.”

5. Learned counsel for the petitioners contend that as per the allegations, on 23.05.2015, the petitioners had wrongfully restrained respondent Nos.2 and 3 and outraged the modesty of respondent No.2. Besides, the present case, another FIR No.81 dated 25.05.2015, under Sections 323/341/506/34 IPC, at Police Station Maqsudan, District Jalandhar has been registered against respondent No.3 and others. The said FIR has been registered at the instance of father of petitioner No.1 and arisen out of the same occurrence and the matter has been amicably settled therein also. The dispute has been amicably settled between the parties in terms of compromise deed dated 16.04.2022 (Annexure P-2). The petitioners and respondent Nos.2 and 3 are residents of the same village and an amicable settlement will help in maintaining cordial relations between the parties in future.

6. Learned counsel for respondent Nos.2 and 3 state that he has no objection if FIR is quashed.

7. After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so

as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

8. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute of the co-villagers has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

9. For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, approved by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*.

10. Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.80 dated 25.05.2015 under Sections 323/341/354/427/148 IPC, registered at Police Station Maqsudan, District Jalandhar and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.

11. Resultantly, with the above-said observations made, the instant petition stands allowed.

24.11.2023

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(VIVEK PURI)
JUDGE

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