

249 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-40269-2021
DATE OF DECISION:-13.03.2023

Mohd. Munir @ Lalla and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Imran Farooqi, Advocate,
for the petitioners.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Brajesh Kumar, Advocate for
Ms. Jyotika Panesar, 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.79 dated 18.05.2020, under Sections 323, 353, 186, 341 and 34 IPC, registered at Police Station City-I Malerkotla, District Sangrur (Annexure P-1) along with all consequential proceedings arising out of the same, on the basis of compromise (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners encircled the complainant and gave beatings to him, while he was performing duty as Chowkidar in the Market Committee, Malerkotla.

3. In pursuance to an order dated 27.09.2021 passed by this Court,

whereby the parties were directed to appear before the trial Court for getting their statements recorded, a report dated 18.10.2021 has been received from the concerned court stating that the compromise is genuine, voluntarily and out of free will of the parties. There are no other accused except the present petitioners and no accused has been declared as PO.

4. 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 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. Even otherwise, 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. 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.***

6. 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.79 dated 18.05.2020, under Sections 323, 353, 186, 341 and 34 IPC, registered at Police Station City-I Malerkotla, District Sangrur (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Employees Welfare Association having Account No.37167209613 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

13.03.2023

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(HARKESH MANUJA)
JUDGE

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