

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

(201)

CRM- 7234-M-2006(O&M)

Date of Decision: 29.05.2023

Dr. Sham Lal Thukral and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. R. K. Singla, Advocate, for the petitioners.

Mr. Amit Shukla, AAG, Punjab.

Mr. J. S. Brar, Advocate, for
Respondent No.2-complainant.

HARKESH MANUJA, J.(ORAL)

1 By way of present petition filed under Section 482 Cr.P.C., petitioners originally prayed for quashing of FIR No.473 dated 06.08.2005, registered under Sections 420, 465, 468, 471, 120-B IPC at Police Station Kotwali Bathinda (Annexure P-1) along with all consequential proceedings arising out of the same based on merits, however, during its pendency the parties entered into a compromise/settlement dated 01.05.2023 which has been placed on record vide CRM No.19928 of 2023.

2. In the present case, petitioners lodged false complaints and cases against the complainant, resulting into registration of the present FIR.

3. In pursuance to an order dated 02.05.2023 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 compromise arrived at between them, report dated 15.05.2023 has been received from the concerned

voluntary and without any coercion or under influence. There is no other accused except the present petitioners and the sole complainant namely, Kartar Singh.

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 lodged false complaints and cases against the complainant.

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, the instant petition is allowed and FIR No.473

dated 06.08.2005, registered under Sections 420, 465, 468, 471, 120-B IPC at Police Station Kotwali Bathinda (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 of costs of Rs.20,000/- to be deposited by the petitioners with the Society for the Care of the Blind having Account No.10506615304 with State Bank of India, Sector-7 Branch, Chandigarh, within a period of two weeks from today.

9. Pending applications, if any, shall stand disposed of.

(HARKESH MANUJA)
JUDGE

29.05.2023

anil

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