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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36224-2023 (O&M)

Date of decision: 18.10.2023

Gurvinder Singh alias Ditty and others

...Petitioners

VS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. J.S.Dhaliwal, Advocate,
For the petitioners.

Mr. Jaswinder Singh Arora, DAG, Punjab.

Mr. S.S.Sidhu, Advocate,
For respondent No.2.

ARUN MONGA, J. (ORAL)

Petitioners seek quashing of FIR No.0006 dated 07.01.2019 (Annexure P-1) registered under Sections 382, 506, 323 (Challan presented under Section 382, 506, 323, 201) of IPC at Police Station, City-I, Abohar, Tehsil Abohar, District Fazilka on the basis of compromise/affidavit dated 06.07.2023 (Annexure P-2), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 27.07.2023 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 15.09.2023 of learned Sub Divisional Judicial Magistrate, Abohar had been received. Report reveals that statement of complainant party i.e. respondent No.2 as also of accused/present petitioners herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.2 and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. It is also mentioned in the report that six other FIRs are pending against petitioner No.1 and against petitioner No.2, one FIR is pending.

5. Although there are six other FIRs against the petitioner but as far as this FIR is concerned, there is no impediment in view of the compromise.
6. Learned counsel for complainant/respondent No.2 states that he would have no objection to the quashing of FIR in question.
7. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled “*Ramgopal and anr. V. The State of Madhya Pradesh*”¹ and a Full Bench decision of this Court in “*Kulwinder Singh and others V. State of Punjab and others*”².
8. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.
9. Petition is thus allowed. FIR No.0006 dated 07.01.2019 (Annexure P-1) registered under Sections 382, 506, 323 (Challan presented under Section 382, 506, 323, 201) of IPC at Police Station, City-I, Abohar, Tehsil Abohar, District Fazilka on the basis of compromise dated 06.07.2023 (Annexure P-2) and all proceedings emanating there from *qua* the petitioners stand quashed.
10. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

18.10.2023
vandana

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

¹Criminal Appeal No.1489 of 2012