

CRM-M-42528-2021

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

(277)

**CRM-M-42528-2021
Date of Decision:- 12.07.2023**

Mahinder and others

...Petitioners

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Navjot Singh, Advocate and
Mr. A.S. Shergill, Advocate for the petitioners.

Mr. A.P.S.Tung, DAG, Punjab
for the State-respondent No.1.

Mr. Keshav Chadha, Advocate
for respondents No.2 and 3.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.94 dated 06.07.2021, registered for offences under Sections 380, 427, 148 and 149 of the Indian Penal Code, 1860, at Police Station Garhshankar, District Hoshiarpur, Punjab, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise deed dated 01.09.2021, Annexure P-2, arrived at between the parties.
2. Counsel for the petitioners submits that FIR, Annexure P-1, is an outcome of an enmity between co-villagers and the allegations therein are

fabricated. He submits that the dispute has been amicably resolved with the intervention of the Panchayat by virtue of compromise, Annexure P-2, the parties have appeared before the Trial Court and their statements have been recorded in support thereof.

3. State counsel has filed reply by way of short affidavit of Deputy Superintendent of Police, Sub Division, Garhshankar, District Hoshiarpur on behalf of State-respondent No.1, which is taken on record.

4. Counsel representing the respondents No.2 and 3 does not have any objection in case the compromise is given effect to.

5. Heard counsel for the parties.

6. Pursuant to order dated 08.10.2021 passed by this Court, report has been received from the Trial Court. The Trial Court has recorded its satisfaction and it has been submitted that the compromise effected between the parties is voluntary and with their free consent.

7. In view of the above backdrop, affidavit of State-respondent No.1, report of the Trial Court and the judgment of the Supreme Court in ***Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543*** and this Court in ***Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*** and ***Sube Singh and another vs. State of Haryana and another, 2013(4) RCR (Criminal) 102***, this Court is of the view that quashing of the FIR, Annexure P-1, will go a long way in restoring peace and harmony amongst the parties, who are co-villagers.

8. Accordingly, the petition is allowed. FIR No.94 dated 06.07.2021, registered for offences under Sections 380, 427, 148 and 149 of the Indian Penal Code, 1860, at Police Station Garhshankar, District Hoshiarpur, Punjab, Annexure P-1, and all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

12.07.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No