

243 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41060-2022

DATE OF DECISION:-22.02.2023

Charanjeet Singh @ Cheena and others

...Petitioners.

vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Tanvir Joshi, Advocate,
for the petitioners.

Mr. Pankaj Khullar, AAG, Punjab.

Mr. Harbir Singh Sandhu, Advocate,
for respondents No.2 and 3.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.231 dated 03.12.2021, under Sections 307, 452, 323, 506, 427, 148 and 149 IPC, registered at Police Station City Malout, District Sri Muktsar Sahib (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners along with 5-6 unknown persons, entered the shop of the complainant with their faces covered and gave beatings and injuries to him as well as to his son with iron rod.

3. In the present case from the perusal of medico legal reports of the private respondents, one can see that the injuries inflicted thereupon are simple/blunt. Though, an injury has been inflicted upon the head of respondent No.3, however, no fracture has been noticed during his medical examination.

4. In pursuance to an order dated 08.09.2022 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 the compromise arrived at between them, a report dated 29.09.2022 has been received from the concerned court stating that the compromise seems to be voluntary, genuine and true. It also finds mentioned in the report that besides present petitioners, there were 5-6 unknown persons arrayed as accused in this FIR. Named accused were neither involved in any other case nor declared as PO.

5. Once, the compromise has been arrived at between the parties without any pressure and respondents No.2 and 3 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising therefrom against the petitioner; 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.

6. Considering the fact that the petitioners and respondents No.2 and 3 had long business relationship and they having settled their differences 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.***

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 judgments, FIR No.231 dated 03.12.2021, under Sections 307, 452, 323, 506, 427, 148 and 149 IPC, registered at Police Station City Malout, District Sri Muktsar Sahib (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

9. Accordingly, petition stands allowed subject to payment of costs of Rs.25,000/- to be deposited with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

22.02.2023

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(HARKESH MANUJA)
JUDGE

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