

**252 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-42876-2020(O&M)
DATE OF DECISION:20.09.2023****Kulwant Singh and another****...Petitioners****Versus****State of Punjab and another****...Respondents****CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Varun Girdhar, Advocate,
for the petitioners.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Inderpal Singh (Jaggi), Advocate,
for respondent No.2.

ARUN MONGA, J. (ORAL)

Petitioners seek quashing of FIR No.119 dated 24.12.2017 (Annexure P-1), registered under Sections 324, 120-B, 34 of IPC 1860, (with Section 307 IPC added later on), at Police Station Mallanwala, District Ferozepur, on the basis of compromise dated 03.12.2020 (Annexure P-2), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 21.08.2023 had directed the parties to appear before the *Illaq*a Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 12.09.2023 of learned Judicial Magistrate Ist Class, Zira, had been received. Report reveals that statements 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. Learned counsel for complainant, on instructions from the complainant informs that merely on his allegation Section 307 of the IPC was invoked even though the injuries suffered by him were not grievous in nature. He further states that he would have no objection to the quashing of FIR in question.

5. 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.

6. 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.

7. Petition is thus allowed. FIR No.119 dated 24.12.2017 (Annexure P-1) registered under Sections 324, 120-B, 34 of IPC 1860, (with Section 307 IPC added later on) at Police Station, Mallanwala, District Ferozepur and all proceedings emanating there from *qua* the petitioners stand quashed.

8. Pending application(s), if any, shall also stand disposed of.

20.09. 2023

D'vir

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052