

219(2 cases)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Date of decision: 06.10.2023
CRM-M-44075-2022 (O&M)

Satnam Singh and others
State of Punjab and another

VS

...Petitioners
...Respondents

CRM-M-51972-2022 (O&M)

Gurdev Singh and others
State of Punjab and another

VS

...Petitioners
...Respondents

CORAM: HON’BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Akbarjit Singh, Advocate
for the petitioners(in CRM-M-44075-2022),
for the respondent No.2(in CRM-M-51972-2022).

Mr. Amit Dhawan, Advocate
for the petitioners(in CRM-M-51972-2022).

Mr. Hakam Singh, AAG, Punjab.

Mr. S.S. Kang, Advocate
for the respondent No.2(in CRM-M-44075-2022).

ARUN MONGA, J. (ORAL)

Vide this common order, above mentioned two cases are being disposed of since facts are analogous.

2. In CRM-M-44075-2022 petitioner seeks quashing of FIR No.80 dated 07.05.2021 registered under Sections 452, 324, 323, 427, 506, 148 read with Section 149 of IPC 1860, at Police Station, Shahkot, District Jalandhar Rural and all other consequential proceedings arising therefrom on the basis of compromise dated 02.08.2022 (Annexure P-2), stated to have been arrived between the parties. In CRM-M-51972-2022 petitioners seek quashing of G.D No.24 dated 20.05.2021, registered under Sections 323, 341, 506, 34 IPC at the same Police Station being cross-case to aforesaid FIR No.80 dated 07.05.2021.
3. Since quashing was sought on the basis of compromise, this Court on 22.09.2022 in CRM-M-44075-2022 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.

4. Report dated 01.10.2023 of learned Judicial Magistrate Ist Class, Nakodar 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.

5. It is stated in the report that respondent No.2 would have no objection to the quashing of FIR in question.

6. 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.

7. In the premise, these are appropriate cases 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.

8. Both the petitions are thus allowed. FIR No.80 dated 07.05.2021 registered under Sections 452, 324, 323, 427, 506, 148 read with Section 149 of IPC 1860, at Police Station, Shahkot, District Jalandhar Rural including cross-case bearing G.D No.24 dated 20.05.2021, registered under Sections 323, 341, 506, 34 IPC at the same Police Station and all proceedings emanating there from *qua* the petitioners stand quashed.

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

10. A photocopy of this order be placed on the connected case file.

(ARUN MONGA)
JUDGE

06.10.2023
Vandana/jyt

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

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052