

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(238)

CRM-M-48698-2021
Date of Decision: 08.05.2023

Baljit Singh and others

...Petitioners

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ajay Kumar, Advocate, for
Mr. Rishu Mahajan, Advocate, for the petitioners.

Mr. Amit Shukla, AAG, Punjab.

Mr. Vikash Bishnoi, Advocate, for
Mr. D.P.S.Joura, Advocate, for the respondent No.3.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioners pray for quashing of FIR No.118 dated 11.11.2014, registered under Sections 452, 326, 323, 324, 506, 148, 149 IPC 1860 at Police Station Mehta, Amritsar (Annexure P-1), along with all consequential proceedings arising out of the same on the basis of compromise dated 15.09.2021 (Annexure P-2).

2. In the present case, due to some altercation, petitioners gave beatings and inflicted injuries upon the complainant side resulting into registration of the present FIR.

3. In pursuance to an order dated 06.01.2023 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 compromise arrived at between them, report dated 09.03.2023 has been received from the concerned

court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or under influence. There is no other accused except the present petitioners. Admittedly injury was inflicted upon the non-vital part of the body of victim. Both the injureds have been impleaded as respondents No.2 and 3, though, the FIR was registered at the instance of respondent No.2-complainant. No accused has been declared as proclaimed offender. The stage of trial was fixed for evidence of prosecution.

4. Learned counsel for the petitioners submits that once, the compromise has been arrived at between the parties without any pressure and respondents No.2 & 3 have no objection as regards quashing of FIR as well as other subsequent proceedings arising out of the same against the petitioners, the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He further submits that 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.

5. On the other hand learned State counsel submits that petitioners gave beatings and inflicted injuries upon the complainant side.

6. Having heard learned counsel for the parties, they having settled their dispute so as to live peacefully 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 found to be fully in consonance with the direction 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 judgment, the instant petition is allowed and FIR No.118 dated 11.11.2014, registered under Sections 452, 326, 323, 324, 506, 148, 149 IPC 1860 at Police Station Mehta, Amritsar (Annexure P-1), as well as all the subsequent proceedings arising therefrom are hereby quashed.

8. The aforesaid order shall however, be subject to payment of costs of Rs.10,000/- to be deposited by the petitioners 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.

(HARKESH MANUJA)
JUDGE

08.05.2023
anil

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