

RENU BALA
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free consent without any pressure of any kind. They requested for quashing the aforesaid FIR in view of the voluntary compromise arrived at between them.

Further, statement of Investigating Officer, SI Charan Singh has also been recorded. He stated that in the above-said FIR, two persons namely Ajay Kumar and Gourav were arrayed as accused. He further stated that as per the record of police none of the accused has ever been declared proclaimed persons/PO.

After careful perusal of the statement given on solemn affirmation by the complainant as well as accused vis-a-vis compromise concerning the present case and after careful analysis of the same, no such material is available on record which can reflect that the compromise has been effected under fear, threat, pressure or coercion. Rather this Court is convinced that the compromise between the parties in question appears to have been entered into voluntarily without any pressure or inducement.

It is further respectfully submitted that in the above-said FIR, two persons namely Ajay Kumar and Gourav were arrayed as accused. Both the accused Ajay Kumar and Gourav and complainant/victim Sourav are party to the compromise and they have got their statements recorded qua compromise arrived at between them. It is further respectfully submitted that none of the accused has ever been declared proclaimed persons/PO. It is further respectfully submitted that challan has been presented in this case and now the case is at the stage of supplying copy of challan of accused.”

5. Learned counsel for the petitioners contend that as per the allegations, the petitioner had inflicted injuries on the person of respondent No.2. The injuries are simple in nature and fall under Section 323 IPC. The dispute has been amicably settled between the parties in terms of compromise deed dated 19.09.2022 (Annexure P-2). The parties are the residents of same village and the amicable settlement will help in maintaining cordial relations between them in future.

6. Learned counsel for respondent No.2 states that he has no objection if FIR is quashed.

7. After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.
8. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute of the co-villagers has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.
9. For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, upheld by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*.
10. Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.416 dated 09.09.2022 under Sections 34/323 and 506 IPC, registered at Police Station Kunjpura, District Karnal and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.
11. Resultantly, with the above-said observations made, the instant petition stands allowed.

18.04.2023

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(VIVEK PURI)
JUDGE