

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45055-2022

Date of Decision: 17.01.2023

NAVPREET SINGH @ NAVI

... PETITIONER

VS.

STATE OF PUNJAB AND OTHERS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Nitin Sherwal, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

Mr. Shubham Goyal, Advocate
for respondents No.2 and 3.

VIVEK PURI, J.(ORAL)

The petitioner is seeking to quash the FIR No.97 dated 22.08.2020 under Sections 379-B and 323 IPC (Section 411 IPC added subsequently) registered at Police Station Sandaur, District Sangrur and all the consequential proceedings arising therefrom on the basis of compromise.

On 29.09.2022, the parties were directed to get their statements recorded before the learned Illaqa Magistrate/trial Court.

In compliance of the order dated 29.09.2022, the statements of the parties have been recorded and the learned Additional Sessions Judge, Sangrur has sent the report and the relevant portion whereof is reproduced here-in-below:-

“1. There is only one person arrayed as accused in FIR.

2. The accused has not been declared as Proclaimed Person/ Proclaimed Offender

3. Amarjit Kaur is the complainant and Sandeep Kaur is the injured in present FIR case,

who have appeared and their separate statement has been recorded qua compromise.

4. The trial/proceeding is at the stage of question of framing charge.

5. Perusal of statements of both the parties, the compromise between the parties appears to be genuine, voluntarily, without any undue pressure and with their free will.

6. No other criminal case is pending against the accused as per the statement of I.O.”

Learned counsel for the petitioner contends that the FIR has been registered on the allegations that the petitioner had snatched small size earrings of respondent No.3 which had also resulted in simple injury to her. The dispute has been amicably settled between the parties in terms of compromise, Annexure P-2. The FIR was got registered against the petitioner on account of some misunderstanding. In fact, the petitioner and respondents No. 2 and 3 are relatives. The amicable settlement will help in maintaining the cordial relations between the parties in future.

Learned counsel for respondents No.2 and 3 has not disputed the aforesaid factual aspect(s) and further stated that he has no objection if the FIR is quashed.

After hearing 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.

The controversy in the instant case does not indicate that the same

involves heinous or serious offences and furthermore, the private dispute of the relatives 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.

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***.

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.97 dated 22.08.2020 under Sections 379-B and 323 IPC (Section 411 IPC added subsequently) registered at Police Station Sandaur, District Sangrur and all the consequential proceedings arising therefrom on the basis of compromise are ordered to be quashed, however, qua the petitioner only.

Resultantly, with the above-said observations made, the instant petition stands allowed.

17.01.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No