

CRM-M No.43901 of 2023

2023:PHHC:160084

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M No.43901 of 2023

Date of Decision: 13.12.2023

DILBAGH SINGH AND OTHERS**.....Petitioners****Vs****STATE OF PUNJAB AND ANOTHER****....Respondents****CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA***

Present: Mr. Arshdeep Singh Kler, Advocate
for the petitioners.

Mr. Gurlal Singh Dhillon, Asstt. A.G., Punjab.

Mr. Ritesh K. Sharma, Advocate
for respondent No.2.

HARKESH MANUJA, J. (Oral)

[1]. By way of present petition under Section 482 Cr.P.C., prayer has been made for quashing of FIR No.22 dated 14.03.2023 registered under Sections 307/323/447/511/506/148/149 IPC and Sections 25/27 of Arms Act at Police Station Julkan, District Patiala (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 19.0 (Annexure P-2).

[2]. As per the allegations levelled in the FIR, the petitioners gave beatings to respondent No.2-complainant and his uncle. The FIR in question was registered under Section 307 IPC as well as under Sections 25 & 27 of the Arms Act, however there is no fire arm injury to any of victims.. As per FIR, there were total 12 accused including present 06 petitioners.

[3]. In pursuance to order dated 12.09.2023 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, a report dated 13.10.2023 has been received from the concerned court, stating that the compromise is genuine, voluntary and without any coercion or undue influence. The petitioners-accused have not been declared as proclaimed offenders.

[4]. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR *qua* the petitioners. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the present 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]. The parties having settled their dispute so as to live in peace 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 even found to be fully in consonance with the direction issued by the Court in the case(s) of **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.**

[6]. Further, learned counsel for the petitioners, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in the case of Jayrajsingh Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589 and this Court in the case(s) of Joginder Singh & another Vs. State of Punjab and another, passed in CRM-M No.23739 of 2010 decided on 27.04.2011, Rajinder Singh Vs. State of Punjab & another, passed in CRM-M No.37395 of 2016 decided on 16.05.2017 and Vimal Kalra & others Vs. State of Punjab & another, passed in CRM-M No.20355 of 2022, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

[7]. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.22 dated 14.03.2023 registered under Sections 307/323/447/511/506/148/149 IPC and Sections 25/27 of Arms Act at Police Station Julkan, District Patiala as well as all the subsequent proceedings arising therefrom are hereby quashed *qua* the petitioners.

[8]. Accordingly, petition stands allowed however subject to payment of cost(s) of Rs.20,000/- 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.

December 13, 2023
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(HARKESH MANUJA)
JUDGE

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