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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-46874-2022 (O&M)

Date of decision: 28.09.2023

Daljit Singh @ Lakhwinder Singh and another ...Petitioners
VS
State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** None.

ARUN MONGA, J. (ORAL)

Due to a call given by the Bar Council of Punjab and Haryana, the Executive Committee of the Bar Association has unanimously decided not to work till 29.09.2023 in solidarity with the District Bar Association, Sri Muktsar Sahib on account of one of the Bar members who is alleged to have been falsely implicated by the police officials at Sri Muktsar Sahib.

2. Petitioners seek quashing of FIR No.317 dated 26.06.2022 registered under Sections 323, 341, 506 of IPC, 1860, (Section 325 added later on) at Police Station, Zirakpur, District SAS Nagar and all other consequential proceedings arising therefrom on the basis of compromise dated 08.10.2022 (Annexure P-3), stated to have been arrived between the parties.

3. Since quashing was sought on the basis of compromise, this Court on 12.01.2023/18.05.2023 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 17.07.2023 of learned Judicial Magistrate Ist Class, Dera Bassi 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, it is an appropriate case 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. Petition is thus allowed. FIR No.317 dated 26.06.2022 registered under Sections 323, 341, 506 of IPC 1860, (Section 325 added later on) at Police Station, Zirakpur, District SAS Nagar and all proceedings emanating there from *qua* the petitioners stand quashed.

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

(ARUN MONGA)
JUDGE

28.09.2023

vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

¹Criminal Appeal No.1489 of 2012

²2007 (3) RCR (Criminal) 1052