

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

**CRM-2789-2023 in/and
CRM-M-47310-2022
DATE OF DECISION:-06.02.2023**

Tajinder Kumar ...Petitioner.

vs.

State of Punjab and others ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Nirmaljit Singh Sidhu, Advocate for the petitioner.

Mr. Ravinder Singh, AAG, Punjab

Mr. B.S. Bhalla, Advocate for
Ms. Poonam Singh Thakur, Advocate for respondents No.2 and 3.

HARKESH MANUJA, J.

CRM-2789-2023

Prayer in this application is for preponing the date of hearing of
the main case.

Heard.

For the reasons mentioned in the application, the same is allowed
and hearing of the main case, which is fixed for 22.02.2023, is pre-poned
for today.

CRM stands disposed of.

Main case

By way of present petition under Section 482 Cr.P.C., the
petitioner prays for quashing of FIR No.15 dated 06.02.2022, under

Sections 279, 337 and 338 IPC, registered at Police Station Garhshankar, District Hoshiarpur along with all consequential proceedings arising out of the same on the basis of compromise dated 21.07.2022 (Annexure P-2).

2. As per the allegations levelled against the petitioner, he while driving tipper in a rash and negligent manner hit motor-cycle of respondents No.2 and 3 due to which, they received injuries.

3. In pursuance to an order dated 14.10.2022 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 the compromise arrived at between them, report dated 03.12.2022 has been received from the concerned court, stating that the compromise is genuine, voluntary and without any coercion or undue influence with free consent. There is no other case pending against the petitioner. Challan is yet to be presented. All the complainant/victim and accused are party to the compromise.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondents No.2 and 3 have no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. Even otherwise, 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. 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 directions 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.***

6. 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 judgments, FIR No.15 dated 06.02.2022, under Sections 279, 337 and 338 IPC, registered at Police Station Garhshankar, District Hoshiarpur as well as all the subsequent proceedings arising therefrom are hereby quashed qua the present petitioner only.

7. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.10,000/- by the petitioner within a period of two weeks from today before the Bar Clerks Association, Punjab and Haryana High Court, Chandigarh.

06.02.2023
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No