

241 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41589-2019

DATE OF DECISION:-24.01.2023

Aman Pal @ Aman Pal Singh and another

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Naveen Bawa, Advocate
for the petitioners.

Mr. Ravinder Singh, AAG, Punjab

Mr. Vishnu Dutt, Advocate
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.210 dated 07.12.2018, under Sections 454, 380, 427 IPC, registered at Police Station Punjab Agriculture University (PAU), District Ludhiana along with all consequential proceedings arising out of the same on the basis of compromise dated 15.12.2018 (Annexure P-2).

2. At the very outset, learned counsel for the petitioners informs this Court that though originally, FIR was registered under Sections 454, 380, 427 IPC, whereas, Section 411 IPC was added later on during investigation, which even finds mentioned in the report dated 27.11.2019 submitted by the trial court as well as corroborated by learned State counsel.

3. At the oral request of learned counsel for the petitioners, Section 411 IPC is ordered to be added in the petition as well as in the head note.

4. As per the allegations levelled in the FIR, the petitioners by trespassing the office of the complainant, damaged the property as well as stole Rs.28,000/- cash from drawer of the table.

5. In pursuance to an order dated 26.09.2019 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 27.11.2019 has been received from the concerned court, stating that compromise is genuine, voluntary and without any coercion or undue influence. There is no other accused except the present petitioners. All the accused and complainant are party to the compromise. Both the accused are on bail and no other case is registered against them.

6. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has 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 has 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.

7. 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.***

8. 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, the FIR No.210 dated 07.12.2018, under Sections 454, 380, 427, 411 IPC (Section 411 IPC added later on), registered at Police Station Punjab Agriculture University (PAU), District Ludhiana as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners only.

9. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.20,000/- by the petitioners within a period of two weeks from today in the following account:-

Account Name – Punjab and Haryana High Court Bar
Association Lawyer's Family Welfare Fund
Account No.-41564846387
Bank Name- SBI High Court Branch.

24.01.2023

sonika

(HARKESH MANUJA)
JUDGE

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