IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(272)

CRM-M-50647-2022

Date of Decision:- 02.08.2023

Gurjit Singh and others **...Petitioners**

VERSUS

State of Punjab and others **...Respondents**

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Kashav Chadha, Advocate for
Mr. Rahul Bhargava, Advocate
for the petitioners.

Mr. Kunwarbir Singh, AAG, Punjab
for State-respondent No.1.

Mr. Prikshit Thakur, Advocate
for respondents No.2 to 4.

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SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.150 dated 20.08.2022, registered for offences under Sections 323, 325, 452, 506, 148 and 149 of the Indian Penal Code, 1860, at Police Station Gharinda, District Amritsar Rural, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 12.09.2022, Annexure P-2, arrived at between the parties.

KAMAL SHARMA
2023.08.03 17:28
I attest to the accuracy and
authenticity of this order/judgment
High Court, Chandigarh

2. Pursuant to order dated 05.01.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

> *"i. That the present case was got registered by complainant Kulwinder Singh against accused Gurjit Singh, Alson Masih, Danier @ Dani, Karan Masih, Amarjeet Singh, Rajesh Masih and Gullu Masih. Complainant, injured Mandeep Singh and Jagbir Singh and the above named accused appeared in the Court and have got recorded their statements regarding compromise*
>
> *Thus, there are seven persons arrayed as accused in the FIR who are the petitioners before the Hon'ble High Court.*
>
> *ii. That as per the statement of Investigating Officer, seven accused namely Gurjit Singh, Alson Masih, Danier @ Dani, Karan Masih, Amarjeet Singh, Rajesh Masih and Gullu Masih are involved in the present FIR and neither accused are declared as proclaimed offender nor they are involved in any other criminal case except the present FIR.*
>
> *iii. That the case is still at investigation stage and challan has not been presented in this case.*
>
> *iv. That there is only one complainant namely Kulwinder Singh and two injured namely Mandeep Singh and Jagbir Singh and all these persons are arrayed as respondents before the Hon'ble High Court.*
>
> *v. That from the statements of the complainant and the accused, I am satisfied that compromise between the parties is genuine and valid, and without any coercion or undue influence from any corner."*

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3. Counsel representing respondents No.2 to 4 does not have any objection in case the compromise is given effect to.

4. Heard counsel for the parties.

5. Dispute has been amicably resolved amongst the parties with the intervention of the respectables by virtue of compromise, Annexure P-2.

6. In view of the report given by the Trial Court and the judgment of the Supreme Court in ***Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543*** and a Full Bench of this Court in ***Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

7. Accordingly, the petition is allowed. FIR No.150 dated 20.08.2022, registered for offences under Sections 323, 325, 452, 506, 148 and 149 of the Indian Penal Code, 1860, at Police Station Gharinda, District Amritsar Rural, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

02.08.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No

KAMAL SHARMA
2023.08.03 17:28
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