

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

CRM-M-52416-2022
Date of decision: 17.04.2023

KARTAR SINGH AND OTHERS

...Petitioners

V/s

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. B.S. Jaiswal, Advocate
for the petitioners.

Mr. V.K. Gupta, AAG, Punjab.

Mr. Karan Dhawan, Advocate
for respondent No.2.

HARKESH MANUJA J. (ORAL)

By way of present petition filed under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.69 dated 10.10.2019, under Sections 379-B and 34 IPC, registered at Police Station Harike, District Tarn Taran (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 15.09.2022.

2. As per the allegations levelled in the FIR, petitioners stopped the horse (Truck) of the complainant and forcefully made the driver and cleaner of the horse (Truck) consume intoxicant material and robbed the horse (Truck) which was found from Goindwal Sahib, Industrial area in an empty condition.

3. In pursuance to an order dated 02.03.2023 passed by this Court, whereby the parties were directed to appear before the trial Court for getting

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their statements recorded, a report dated 31.03.2023 has been received from the concerned court stating that the compromise is genuine and entered into voluntarily with free will of the parties without any coercion or undue influence or pressure of any kind. No accused has been declared as PO.

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; 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.69 dated 10.10.2019, under Sections 379-B and 34 IPC, registered at Police Station Harike, District Tarn Taran (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed, subject to payment of costs of Rs.10,000/- to be deposited by the petitioners with the Punjab and Haryana High Court Bar Association, within a period of two weeks from today.

17.04.2023
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(HARKESH MANUJA)
JUDGE

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