

CRM-M-50594-2023

-1-

247

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

CRM-M-50594-2023

Date of decision:-15.12.2023

Balvir Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Ms.Harpreet Kaur Arora, Advocate
for the petitioners.

Mr.Harkanwar Jeet Singh, AAG, Punjab.

Mr.Deepak Kumar, Advocate for
Mr.R.V.S. Chugh, Advocate
for respondents No.2 and 3.

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.40 dated 25.06.2019, under Sections 452, 506, 323, 148, 149 IPC, registered at Police Station Jodhan, District Ludhiana Rural, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise deed dated 02.05.2023, Annexure P2, arrived at between the parties.

2. Counsel for the petitioners submits that the FIR is an outcome of minor altercation, which has been amicably settled between the parties.

247

3. Counsel appearing for respondents No.2 and 3 has admitted the factum of compromise.

4. Heard counsel for the parties.

5. Pursuant to order dated 09.10.2023 passed by this Court, report has been received from the Judicial Magistrate, relevant extract of which is as under:-

“1. The number of accused arraigned in the FIR are 10(Ten) and all the accused persons appeared before the Court and made their statements with regard to compromise and no accused person is absconding/PO in the case;

2. There is only one complainant/aggrieved person i.e. Surjeet Singh S/o Bakhtor Singh (now deceased) and his sons namely, Gagandeep Singh and Amandeep Singh (petitioners [sic - respondents] no.2 and 3 before the Hon’ble Punjab and Haryana High Court) appear before the Court and made joint statement with regard to compromise.

3. The state (sic – stage) of the Trial/proceeding is fixed for prosecution evidence.

4. This compromise is genuine, voluntary and out of free will of the parties.

5. As per the statement of accused persons there is no other criminal case pending against them.

6. In view of the report given by the learned Magistrate and 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

CRM-M-50594-2023

-3-

247

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.40 dated 25.06.2019, under Sections 452, 506, 323, 148, 149 IPC, registered at Police Station Jodhan, District Ludhiana Rural, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

15.12.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No