

CRM-M-52612-2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(262)

CRM-M-52612-2022
Date of Decision:- 04.09.2023

Sonu Singh and another

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ishan Thakur, Advocate for the petitioners.

Mr. Anup Singh, DAG, Punjab for State-respondent No.1.

Mr. J.S.Khiva, Advocate for the respondent No.2.

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.110 dated 07.07.2020, registered for offences under Sections 457 and 380 of the Indian Penal Code, 1860, however, later on Section 411, IPC was added, at Police Station Jhunir, District Mansa, Annexure P-2, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 05.08.2022, Annexure P-5, arrived at between the parties.
2. Counsel for the petitioners submits that the petitioners are daily wagers and the allegation of theft have been levelled against them due to some misunderstanding. He submits that the dispute has been settled by way of a compromise and the parties have recorded their statements in its support.

3. Upon instructions received from HC, Angrej Singh, State counsel submits that recovery of stolen articles have been effected from petitioner No.1 as well as co-accused, Angrej Singh, who has unfortunately expired.
4. Counsel representing complainant-respondent No.2 has admitted the factum of settlement.
5. Pursuant to order dated 09.03.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“So, after going through the above statement of complainant, accused and witness, this Court is satisfied that a compromise, copy of which is Mark X have been effected between the complainant and accused is bonafide, without any coercion or undue influence and the same are genuine and voluntary. Further, as per record, there is no other accused except accused Sonu Singh, Sunny Singh @ Rajinder Singh. During trial accused Angrej Singh died and accused are not involved in any other criminal case. No PO proceeding is pending against any accused of the present FIR.”

6. Heard counsel for the parties.
7. 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.

8. Accordingly, the petition is allowed. FIR No.110 dated 07.07.2020, registered for offences under Sections 457 and 380 of the Indian Penal Code, 1860, however, later on Section 411, IPC was added, at Police Station Jhunir, District Mansa, Annexure P-2, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

04.09.2023
Kamal

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