

266 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51424-2023
DATE OF DECISION:-07.12.2023

Dalbir Singh and others ...Petitioners.

vs.

State of Punjab and another ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rishu Mahajan, Advocate,
for the petitioners.

Mr. G.S. Dhillon, AAG, Haryana.

Mr. Ajay Kumar, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

1. By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.150, dated 26.08.2023, registered under Sections 365, 452, 342, 323, 148 and 149 IPC, at Police Station Gharinda, Amritsar (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 04.09.2023 (Annexure P-2).

2. As per allegations levelled in the FIR, petitioners thrashed the complainant and forcibly took her in the vehicle.

3. In pursuance of order dated 11.10.2023 passed by this Court, whereby parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at

between them, a report dated 30.11.2023 has been received from the concerned court, stating that the compromise between the petitioners and respondent No.2 is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender.

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; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. 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 direction issued by the 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 facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.150, dated 26.08.2023, registered under Sections 365, 452, 342, 323, 148 and 149 IPC, at Police Station Gharinda,

Amritsar (Annexure P-1) as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.25,000/- to be deposited by the petitioners with the Punjab and Haryana High Court Bar Association Diagnostic Centre, Chandigarh, having Account No.41564846387 with State Bank of India, High Court Branch (IFSC-SBIN0050306), within a period of two weeks from today the date of receipt of certified copy of this order.

07.12.2023

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(HARKESH MANUJA)
JUDGE

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