

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

(226)

CRM-M-53936-2022

Date of Decision: 17.03.2023

Dharamvir Gupta

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ravinder Gill, Advocate, for
Mr. Vikas Bali, Advocate, for the petitioner.

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

Mr. D. S. Sidhu, Advocate, for the respondents No.2 to 7.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioner prays for quashing of Kalandra DDR No.29 dated 12.06.2017, registered under Sections 182 IPC at Police Station Sadar Khanna, Police District Khanna, District Ludhiana (Annexure P-3) along with all consequential proceedings arising therefrom on the basis of compromise dated 21.01.2022 (Annexure P-5).

2. In the present case, allegations against the petitioner are that he has been filing applications against Jain Sabha office bears/members by making false and baseless allegations with an intent to obstruct their work and for harassing them.

3. In pursuance to an order dated 21.11.2022 passed by this Court, whereby the parties were directed to appear before the trial Court for getting their statements recorded as regards, the veracity of compromise arrived at

court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or under influence. There is no other accused except the present petitioner and there are 6 respondents/complainant. No accused has been declared as proclaimed offender. The stage of trial was fixed for evidence of prosecution.

4. Learned counsel for the petitioner submits that once, the compromise has been arrived at between the parties without any pressure and respondents No.2 to 7 have no objection as regards quashing of FIR as well as other subsequent proceedings arising out of the same against the petitioner, the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He further submits that 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. On the other hand learned State counsel submits that petitioner has been filing applications against Jain Sabha office bears/members by making false and baseless allegations with an intent to obstruct their work and harass them.

6. Having heard learned counsel for the parties, they having settled their dispute so as to live peacefully 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 found to be fully in consonance with the direction issued by the Court in *Kulwinder Singh*

State of Punjab & Anr., 2012(4) RCR (Crl.) 543.

7. 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 judgment, the instant petition is allowed. Kalandra DDR No.29 dated 12.06.2017, registered under Sections 182 IPC at Police Station Sadar Khanna, Police District Khanna, District Ludhiana (Annexure P-3) as well as all the subsequent proceedings arising therefrom are hereby quashed.

8. The aforesaid order shall however, be subject to payment costs of Rs.5,000/- to be deposited with the Punjab and Haryana High Court Association Lawyer’s Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

Petition stands disposed of

(HARKESH MANUJA)
JUDGE

17.03.2023
anil

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