

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

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**CRM-M-60645-2022 (O&M)
Date of Decision: 11.08.2023**

Vishal Khanna and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Akbarjit Singh, Advocate for the petitioners.
Mr. Anup Singh, AAG, Punjab.
Mr. Amrit Paul Nahar, Advocate for
Mr. S.S.Kang, Advocate for respondent No. 2.

SUVIR SEHGAL, J.(Oral)

1. Instant petition has been filed under Section 482 Cr.P.C seeking quashing cross case/cross version in FIR No. 127 dated 08.08.2020 (Annexure P-1) being General Diary No. 038 dated 10.08.2020 under Sections 323, 324, 148, 149 IPC, 1860 at Police Station Division No.1, Police Commissionerate, Jalandhar, along with all subsequent proceedings arising therefrom on the basis of compromise dated 22.11.2022 (Annexure P-3).

2. Counsel for the petitioner submits that FIR (Annexure P-1) is an outcome of minor discord between the parties which has been amicably resolved by compromise (Annexure P-3). He submits that the parties have appeared before the Trial Court and recorded their statements in support of the compromise.

3. Upon instructions from ASI Gurjit Singh, State counsel submits that on conclusion of investigation, final report has been presented, but charge has not been framed.

4. Counsel for the complainant has admitted the factum of compromise and supported the prayer made in the petition.

5. Heard counsel for the parties, pursuant to order dated 23.12.2022 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:

(a) It is respectfully submitted that there are only three accused namely Vishal Khanna, Prince and Harpreet Singh (sic have) arrayed in the cross case and they have appeared before court and suffered a statement before this court.

(b) It is also submitted that none of the accused have ever been declared Proclaimed Offender/absconder in the present case as per statement of IO.

(c) It is respectfully submitted that in view of the statements got recorded by the complainant and accused persons, this court is satisfied that the compromise, effected between them is genuine one and voluntary, which is not the result of any pressure or coercion.

(d) The accused persons in the present case except for Vishal Khanna are not involved in any other case within the jurisdiction of this court. Accused Vishal Khanna is involved in case FIR no. 103 of 2019 U/s 4A and 21A of Cigarette and Tobacco Products Act.

(e) It is further submitted that as per the statement of Investigating officer, there is only one complainant/victim i.e.

Manpreet Singh in the present case. It is pertinent to mention here that the abovesaid compromise statements have been recorded in respect of cross FIR only as the compromise in the main FIR qua accused Vikramjeet Singh and Gaurav Kumar has yet not materialized.”

6. I have heard counsel for the parties.

7. In view of the report given by the Trial Court and the judgments of the Supreme Court in **Narinder Singh Versus State of Punjab (2014) 6 SCC 466** and **Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another (2017) 9 SCC 641**, 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. Cross case/cross version in FIR No. 127 dated 08.08.2020 (Annexure P-1) being General Diary No. 038 dated 10.08.2020 under Sections 323, 324, 148, 149 IPC, 1860 at Police Station Division No.1, Police Commissionerate, Jalandhar, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

11.08.2023
Rajeev (rvs)

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No