

CRM-M No.60384 of 2023 (O&M)

2023:PHHC:165040

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

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CRM-M No.60384 of 2023 (O&M)
Date of Decision: 21.12.2023

YASHODHAR GULATI**.....Petitioner(s)****Vs****STATE OF PUNJAB AND ANOTHER****....Respondents****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Gautam Dutt, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, Asstt. A.G., Punjab.

Mr. Harish Mehla, Advocate
for respondent No.2/complainant.

HARKESH MANUJA, J. (Oral)

1. By way of present petition under Section 482 Cr.P.C., prayer is made for quashing of FIR No.0111 dated 12.08.2023 registered under Sections 153, 153-A and 504 IPC at Police Station City Nawanshahr, District SBS Nagar (Annexure P-1) along with all consequential proceedings arising therefrom.

2. On 18.12.2023, both the sides made a joint prayer that a settlement had been arrived at between the parties. Even, learned counsel for the complainant admitted the factum of settlement. Accordingly, both the parties were directed to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the validity of settlement.

3. In pursuance of the aforesaid order dated 18.12.2023 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 between them, a report dated 19.12.2023 has been received from the concerned court, stating that compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender.

4. Thus 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 petitioner; there does not appear to be any impediment as regards quashing of present FIR qua the petitioner. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the present 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. Moreover the petitioner has already uploaded the corrigendum dated 11.08.2023 which was even made to run on the news portal for twenty four hours thereby erasing the grouse of the victim as well.

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 report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.0111 dated 12.08.2023 registered under Sections 153, 153-A and 504 IPC at Police Station City Nawanshahar, District SBS Nagar as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

7. Accordingly, petition stands allowed however subject to payment of cost(s) of Rs.10,000/- to be deposited by the petitioner(s) 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.

December 21, 2023
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(HARKESH MANUJA)
JUDGE

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