

AMIT KUMAR AND OTHERS

... PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. A.K.Khunger, Advocate for the petitioners.
Mr. Davinder Bir Singh, Sr. DAG, Punjab.
Ms. Tejinder Kaur, Advocate for
Mr. Goldy Jakhar, Advocate for respondent Nos.2 to 4.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 127 dated 24.08.2020 registered at Police Station Khuian Sarwar, District Fazilka under Sections 323, 324, 354, 452, 148, 149 IPC, on the basis of compromise dated 12.01.2024 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the parties are residents of the same village. The FIR was registered on account of personal litigation. Now with the intervention of the respectables, the parties have resolved their dispute. Respondent Nos.2 to 4 do not want to take any action in the present FIR.

[3] Learned counsel appearing on behalf of respondent Nos.2 to 4 has confirmed the factum of compromise between the parties.

[4] On 22.01.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 15.02.2024, received from learned

Judicial Magistrate First Class, Abohar, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as “Proclaimed Offender” and they are not involved in any other criminal case.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Keeping in view the facts and circumstances of the case, the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon’ble Apex Court in *Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543* and the decision of Hon’ble the Full Bench of this Court in *Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052*, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No. 127 dated 24.08.2020 registered at Police Station Khuian Sarwar, District Fazilka under Sections 323, 324, 354, 452, 148, 149 IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] Pending miscellaneous application(s), if any, shall also stand disposed of.

18.03.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

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