

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

(1) CRM-M No. 5149 of 2020 (O&M)
Date of Decision: 06.05.2024

Surinder Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

(2) CRM-M No. 4611 of 2020 (O&M)

Hanuman and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rhythem Bajaj, Advocate,
for the petitioners (in CRM-M-5149-2020) and
for respondent Nos. 2 to 4 (in CRM-M-4611-2020)

Mr. Prince Pushpinder Rana, Advocate
for the petitioners (in CRM-M-4611-2020) and
for respondent Nos. 2 to 4 (in CRM-M-5149-2020)

Mr. Siddharath Sandhu, Assistant Advocate General, Punjab

HARKESH MANUJA, J. (ORAL)

CRM-18082-2024 in CRM-M-5149-2020
CRM-19751-2024 in CRM-M-4611-2020

Prayer in the present applications moved on behalf of the
applicant(s)-petitioner(s), are for preponing the date of hearing of the main
case from 21.05.2024 to earlier date.

Notice of the applications.

Learned counsel(s) for the non-applicant(s) have no objection against the prayer made in the application.

In view of the above, present applications are **allowed** and with the consent of learned counsel for the parties, main cases are taken up today itself.

MAIN CASE(S)

This order shall dispose of the present two petitions as the same have arisen out of the same occurrence.

[2] In petition bearing CRM-M-4611-2020 filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No. 143 dated 01.10.2019 under Sections 324, 341, 427, 148 & 149 of IPC, registered at Police Station Bahaw Wala, District Fazilka, whereas in another petition bearing CRM-M-5149-2020, the petitioners seek quashing of cross-version DDR Nos. 40 & 41, dated 04.10.2019, under Sections 324, 341, 109, 148 & 149 of IPC in FIR (supra), registered at Police Station Bahaw Wala, District Fazilka, alongwith all consequential proceedings arising out of the same on the basis of compromise dated 14.01.2020 & 15.01.2020, annexed with the respective petitions.

[3] This Court, vide separate orders dated 21.09.2023 & 04.12.2023, directed the parties to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the validity of compromise.

[4] In pursuance of above orders dated 21.09.2023 & 04.12.2023, separate reports dated 28.11.2023 & 15.01.2024 have 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.

[5] Thus once, the compromise has been arrived at between the parties without any pressure and respondent(s) – complainant(s) / victim(s) 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(s). 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.

[6] 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.***

[7] Moreover, learned counsel(s) for the parties, on instructions from their clients, submit that their clients to serve public cause by providing the medical equipment to Civil Hospital, Fazilka.

[8] 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, the petitions are **allowed**; the FIR and DDR (supra) as well as all subsequent proceedings arising therefrom are hereby quashed *qua* the petitioner(s).

[9] The aforesaid order shall, however, be subject to providing **OT Ceiling Lights Double Dome LED** to the Civil Hospital, Fazilka, [amounting to Rs. 1,00,000/- (One Lakh only)], within a period of two weeks from the date of receipt of certified copy of this order, as volunteered by the both the parties, against due receipt issued by the concerned Civil Surgeon, who shall prepare an inventory in this regard for its regular inspection by the Director concerned. A copy of the receipt shall also be sent to the office of Advocate General, Punjab at the earliest for maintaining records in this regard.

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

May 06, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No