

272 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7786-2024
Date of decision: 19.03.2024

GURDEV SINGH KANWAR AND ANOTHER Petitioners

versus

STATE OF PUNJAB AND ANOTHER Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Harjeet Singh Minhas, Advocate
 for the petitioners.

Mr. Siddharth Sandhu, AAG Punjab.

Mr. Tarun Jhatta, Advocate
for respondent No.2.

KIRTI SINGH, J. (ORAL)

1. By way of present petition filed under Section 482 Cr.P.C., prayer is made for quashing of FIR No.0112 dated 31.10.2017 registered under Sections 420, 406, 120-B, 506 IPC at Police Station Mehna, District Moga (Annexure P-2) along with all subsequent proceedings arising therefrom on the basis of compromise.

2. Notice of motion was issued on 15.02.2024 and both the parties were directed to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the validity of compromise.

3. In pursuance of the aforesaid order dated 15.02.2024 passed by the Co-ordinate Bench, 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 28.02.2024 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(s); 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.

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.0112 dated 31.10.2017 registered under Sections 420, 406, 120-B, 506 IPC at Police Station Mehna, District Moga as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed, however subject to payment of cost(s) of Rs.5,000/- to be deposited in the Poor Patients Welfare Fund of the PGIMER, Chandigarh, within a period of two weeks from today.

(KIRTI SINGH)
JUDGE

19.03.2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>