

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

285

CRM-M No.7992 of 2024 (O&M)
Date of Decision: 18.04.2024

BHASVER SHARMA AND ANOTHER

.....Petitioner(s)

Vs

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Ms. Shivya Sehgal, Advocate
for the petitioner(s).

Mr. Siddharth Sandhu, Asstt. A.G., Punjab.

None for respondent Nos.2 and 3.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., prayer is made for quashing of FIR No.99 dated 29.04.2023 registered under Sections 323, 324, 341, 34 IPC (Sections 326, 307 IPC added later on) at P.S. Haibowal, Police Commissionerate, Ludhiana (Annexure P-1) along with all consequential 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 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 01.04.2024 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. Petitioners are young boys. Though injury Nos.1, 2 and 4 have been declared to be with sharp-edged weapon and the parties to the litigation are neighbours. At this stage, the settlement between them is going to result in harmony between them which would improve their future relations.

5. Learned counsel for the petitioners also volunteers to provide one ECG Machine of M/s Contec Medical Systems Co. Ltd., having Model No.ECG300GA to the Civil Hospital, Ludhiana so as further the public cause.

6. Thus once, the compromise has been arrived at between the parties without any pressure and respondent Nos.2 and 3 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.

7. 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.

8. 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.99 dated 29.04.2023 registered under Sections 323, 324, 341, 34 IPC (Sections 326, 307 IPC added later on) at P.S. Haibowal, Police Commissionerate, Ludhiana as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner(s).

9. Accordingly, petition stands, allowed however subject to providing one ECG Machine of M/s Contec Medical Systems Co. Ltd., having Model No.ECG300GA to the Civil Hospital, Ludhiana as volunteered by the petitioners against receipt issued by the concerned CMO. A copy of the same along with photograph of the ECG Machine shall be forwarded to the office of learned State counsel, within a period of two weeks from today.

April 18, 2024	(HARKESH MANUJA)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No