

Sr. No.288

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

**CRM-M-8922-2023
Date of decision: 29th April, 2024**

PRADEEP ALIAS SOHNA AND ORS.Petitioners

versus

STATE OF PUNJAB AND OTHERSRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Hitesh Chopra, Advocate
for the petitioners (through VC).

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

Mr. Mayank Gupta, Advocate
for respondents No.2 to 6.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.80 dated 31.07.2018, under Sections 323, 506, 452, 427, 379, 354, 148, 149 IPC, 1860, registered at Police Station Cantt. Jalandhar, Tehsil and District Police Commissionerate, Jalandhar (Annexure P-1), on the basis of compromise deed dated 05.09.2022 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2. However, with the intervention of the respectables, the matter has now been amicably settled and the parties have executed compromise deed dated 05.09.2022 (Annexure P-2), as such, respondents No.2 to 6 do not want to pursue the FIR and they have no objection if the FIR is quashed.

[3] Learned counsel appearing on behalf of respondents No.2 to 6 has confirmed the factum of compromise between the parties.

[4] On 11.04.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] The Report dated 01.06.2023 has been received from the Judicial Magistrate, Ist Class, Jalandhar, through the District & Sessions Judge, Jalandhar, with the following observations:-

“xxx xxx xxx xxx

1) As per the statement of the complainant/respondents, accused/petitioners and Investigating Officer, only five above named accused persons are involved in the present FIR and they have not been declared proclaimed offender in the present FIR nor any such proceedings have been initiated or pending against them.

2) As per the statements of complainant/respondents, accused/petitioners and the Investigating Officer, the compromise arrived at between the parties is genuine, voluntary and without any coercion or undue influence.

3) As per statements of ASI Vijay Kumar No.498 of PS Cantt. Jalandhar, the accused persons are not involved in any other FIR.

4) As per statements of complainant/respondents, petitioners/accused and the Investigating Officer, the trial is at the stage of prosecution evidence.

xxx xxx xxx xxx”

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition. Learned State counsel has verified about the death of Shashi Rani (mother of respondent No.2/complainant) and Savita Sood (wife of respondent No.2/complainant) and copies of their death certificates have been submitted in the Court, which are taken on record.

[7] The dispute between the parties stands settled. Keeping in view 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**

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, the present petition is allowed and FIR No.80 dated 31.07.2018, under Sections 323, 506, 452, 427, 379, 354, 148, 149 IPC, 1860, registered at Police Station Cantt. Jalandhar, Tehsil and District Police Commissionerate, Jalandhar (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, the respondents No.2 to 6 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 05.09.2022 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)

JUDGE

29th April, 2024

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