

CRM-M-8898-2023

264 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-8898-2023

Date of Decision: 16.01.2024

RAVINDER SINGH @ ROMI

...Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Kuldeep Choudhary, Advocate
for the petitioner.

Mr. Digvijay Nagpal, AAG Punjab.

Mr. Rajesh Gupta, Advocate and
Ms. Manisha Gupta, Advocate for respondent No. 2.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 105 dated 21.04.2015 registered under Sections 323, 324, 379, 506 and 34 of Indian Penal Code at Police Station Division No. 5 Civil Lines, District Ludhiana and all subsequent proceedings arising therefrom in view of the compromise dated 22.07.2019 (Annexure P-3).

2. The FIR has been registered on the statement of complainant- Munish Jindal- respondent No. 2 on the allegations that on the date of occurrence at about 2.30 PM near ICICI Bank, the petitioner along with one other person namely Manjit Singh (since deceased) came in their car and starting pulling the petitioner out of his car, gave him beatings and inflicted injuries upon him with sharp edged weapon thrown him on the road and punched him with hands and legs on complainant's chest and back. The petitioner along with Manjit Singh also forcibly took away the disputed property papers from him and

ran away in their car. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

3. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Additional Sessions Judge, Ludhiana for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from Additional Sessions Judge, Ludhiana stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

4. Learned State counsel on instructions from the Investigating Officer and learned counsel for respondent No. 2 admitted the factum of compromise and submitted that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR, in view of the law laid down by the Hon'ble Supreme Court.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. The parties have arrived at a compromise and settled their dispute. A compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak. A two Judge Bench of the Hon'ble Supreme Court in ***Shakunta Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63***, speaking through Justice V.R. Krishna Iyer, has held as under:-

“4.*The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship or reunion.....*”

7. Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466 and Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (CrI.) 1052**, this petition is allowed and FIR No. 105 dated 21.04.2015 registered under Sections 323, 324, 379, 506 and 34 of Indian Penal Code at Police Station Civil Lines, District Ludhiana and all subsequent proceedings arising out of the same are quashed qua the petitioner only.

16.01.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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