

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

284

CRM-M No.10784 of 2024 (O&M)
Date of Decision: 02.05.2024

JAGSIR SINGH ALIAS SEERA AND OTHERS
.....Petitioner(s)

Vs

STATE OF PUNJAB AND ANOTHER ...Respondents

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

Present: Mr. J.K. Singla, Advocate
for the petitioners.

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

Mr. Kashish Garg, Advocate
for respondent No.2

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.46 dated 14.06.2022 registered under Sections 323, 148, 149 IPC 1860 (Act No.45 of 1860) at Police Station Balianwali, District Bathinda, along with all consequential proceedings arising therefrom on the basis of compromise.
2. Notice of motion was issued on 29.02.2024 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 29.02.2024 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 24.04.2024 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. 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. Moreover, learned counsel for the petitioners on instructions from his clients, submit that they volunteer to serve public cause by providing one ECG Machine to Civil Hospital, Rampura Phul, District Bathinda.

7. 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 FIR No.46 dated 14.06.2022 registered under Sections 323, 148, 149 IPC 1860 (Act No.45 of 1860) at Police Station Balianwali, District Bathinda as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

8. Accordingly, petition stands allowed, however, subject to providing one ECG Machine to the Civil Hospital, Rampura Phul, District Bathinda, within a period of two weeks from today as volunteered by the petitioners 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 sent to the office Advocate General, Punjab at the earliest for maintaining records in this regard.

May 02, 2024

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(HARKESH MANUJA)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No