

DATE OF DECISION:-30.04.2024

...Petitioners..

...Respondents..

Though, FIR is also registered under Section 307 IPC, however, most of the injuries were on the non-vital part and there is no such opinion

that any injury was dangerous to life. Moreover, both the parties are of the same village and are not involved in any other case.

3. In pursuance of order dated 01.03.2024 passed by this Court, whereby parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, report dated 18.04.2024 has been received from the concerned Court, stating that compromise so effected between complainant-Sewa Singh and accused namely, Jasbir Singh, Sukha Singh, Gorkhi Singh and Baldev Singh, is genuine and voluntary in nature. No accused has been declared as proclaimed person.

4. 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 petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, the parties are belong to the same village and keeping in view the safety and betterment of the future of generations to come, they have entered into a settlement besides it in order to maintain peace and harmony between the parties, particularly under the 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, Amritsar.

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, FIR No.125 dated 10.11.2018, registered under Sections 307, 326, 323, 506, 34 IPC, at Police Station Bhindi Saidan, District Amritsar Rural (Annexure P-1) as well as all 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, Amritsar, within a period of four 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 be sent to the office of Advocate General, Punjab at the earliest for maintaining records in this regard.

30.04.2024

sonika

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No