

278 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

DATE OF DECISION:-30.04.2024

1. CRM-M-12019-2024

Sewak Singh and others ...Petitioners..

vs.

State of Punjab and another ...Respondents..

2. CRM-M-12044-2024

Jaswinder Singh and others ...Petitioners.

vs.

State of Punjab and others ...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Sourabh Kandu, Advocate for
Mr. Raman Singla, Advocate,
for the petitioners (in CRM-M-12019-2024) and
for respondents No.2 and 3 (in CRM-M-12044-2024).

Mr. Siddharth Sandhu, AAG, Punjab.

Mr. Neeraj Jain, Advocate,
for the petitioners (in CRM-M-12044-2024) and
for respondent No.2 (in CRM-M-12019-2024)

HARKESH MANUJA, J. (Oral)

1. This common judgment of mine shall dispose of two petitions
bearing CRM-M-12019-2024 and CRM-M-12044-2024.

2. CRM-M-12019 of 2024 has been filed for quashing of G.D/ Rapat
No.58, dated 15.12.2023, under Sections 323, 34 IPC and Section 3 of the

dated 15.12.2023, registered under Sections 323, 324, 148, 149 IPC, at Police Station Jhunir, District Mansa along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

3. CRM-M-12044 of 2024 has been filed for quashing of FIR No.210 dated 15.12.2023, registered under Sections 323, 324, 148, 149 IPC, at Police Station Jhunir, District Mansa (Annexure P-1) along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

4. Present is a version and cross-version case, in which, both the parties inflicted injuries to each other.

5. In pursuance of separate orders dated 07.03.2024 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, separate reports dated 23.04.2024 have been received from the concerned Court, stating that the compromise so arrived at between the parties is genuine, voluntary and out of free will of the parties. No accused has been declared as proclaimed person.

6. Once, the compromise has been arrived at between the parties without any pressure and respondent(s) having no objection as regards quashing of aforementioned FIR as well as G.D./Rapat along with 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 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 and G.D./Rapat on the basis of compromise entered into between the parties.

7. The parties, who are residents of same village, 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 the aforementioned FIR and G.D./Rapat. 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. Moreover, learned counsel for the petitioner(s) on instructions from their clients, submit that petitioner(s) (including petitioners in CRM-M-12044-2024) volunteer to serve public cause by providing 01 Water Cooler to Civil Hospital, Mansa.

9. Thus, in view of the aforesaid facts, accompanied by statement of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the abovementioned two petitions are allowed, G.D/ Rapat No.58, dated 15.12.2023, under Sections 323, 34 IPC and Section 3 of the SC/ST Act, 1989, at Police Station Jhunir District Mansa in FIR No.210 dated 15.12.2023, registered under Sections 323, 324, 148, 149 IPC, at Police Station Jhunir, District Mansa as well as FIR No.210 dated 15.12.2023, registered under Sections 323, 324, 148, 149 IPC, at Police Station Jhunir, District Mansa, are hereby quashed qua the petitioner(s).

and another connected cases

10. However, aforesaid order shall be subject to providing 01 Water Cooler to the Civil Hospital, Mansa, within a period of three weeks from today as volunteered by the petitioners (including petitioners in CRM-M-12044-2024) 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

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(HARKESH MANUJA)
JUDGE

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