

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.13710 of 2024
Date of Decision: 15.04.2024

DHARMINDER SINGH @ KAKA AND ANOTHER
.....Petitioners
Vs
STATE OF PUNJAB AND OTHERSRespondents

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

Present: Mr. Bharat Puri, Advocate
for the petitioners.

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

Mr. Rahul Kumar Garg, Advocate
for respondent Nos.2 & 3.

HARKESH MANUJA, J. (Oral)

[1]. By way of present petition under Section 482 Cr.P.C., prayer has been made for quashing of FIR No.102 dated 08.06.2016 registered under Sections 323, 324, 341, 427, 452, 148, 149 IPC (Section 326 IPC added later on) at Police Station Sadar, District Ludhiana City (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 07.03.2024 (Annexure P-2).

[2]. The FIR in question was registered on the basis of complaint made by respondent No.2 alleging that the petitioners along with others inflicted injuries upon the person of respondent Nos.2 and 3. Though there are three accused, however the challan was filed against the petitioners as third accused namely Hardeep Singh was found to be innocent during investigation and placed in Column No.2 of the challan.

[4]. In pursuance to order dated 18.03.2024 passed by this Court, whereby the parties were directed to appear before the *Illaq*a Magistrate/Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 09.04.2024 has been received from the concerned court, stating that the compromise is genuine, voluntary and without any coercion or undue influence. The petitioners-accused have not been declared as proclaimed offenders.

[5]. Once, the compromise has been arrived at between the parties without any pressure and respondent Nos.2 & 3 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, 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.

[6]. 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 the case(s) of **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.**

[7]. Further, learned counsel for the petitioners, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in the case of Jayrajsingh Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589 and this Court in the case(s) of Joginder Singh & another Vs. State of Punjab and another, passed in CRM-M No.23739 of 2010 decided on 27.04.2011, Rajinder Singh Vs. State of Punjab & another, passed in CRM-M No.37395 of 2016 decided on 16.05.2017 and Vimal Kalra & others Vs. State of Punjab & another, passed in CRM-M No.20355 of 2022, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

[8]. 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.102 dated 08.06.2016 registered under Sections 323, 324, 341, 427, 452, 148, 149 IPC (Section 326 IPC added later on) at Police Station Sadar, District Ludhiana City as well as all the subsequent proceedings arising therefrom are hereby quashed *qua* the petitioners.

[9]. Accordingly, petition stands allowed, however, subject to payment of cost(s) of Rs.5,000/- to be deposited in the Poor Patients Welfare Fund of the PGIMER, Chandigarh, within a period of two weeks from today.

April 15, 2024	(HARKESH MANUJA)
Atik	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No