



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-14041-2024
Date of Decision: May 07, 2024

JAGMEET SINGH AND OTHERSPetitioners

Versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Arpan Sabharwal, Advocate for the petitioners.
Mr. Siddharth Sandhu, AAG, Punjab.
Mr. Rahul Garg, Advocate for respondent No.2.

HARKESH MANUJA, J. (ORAL)

By way of this petition filed under Section 482 Cr.P.C. the petitioners pray for quashing of case bearing FIR No.26 dated 25.01.2013 registered under Sections 447, 379 and 149 of IPC at P.S. Nakodar, Jalandhar along with all consequential proceedings arising out of the same on the basis of compromise dated 02.03.2024.

2. As per the allegations levelled in the FIR, the petitioners broke down the shed belonging to people of Bazigar community where cremations used to take place. Though, there are six accused in the aforesaid FIR, however, one of the accused has unfortunately died whereas, two accused have gone abroad. As such, the compromise has been effected with the petitioners only.

3. This Court while issuing notice of motion vide order dated 18.03.2024 directed the parties to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them.

4. In pursuance to the order dated 18.03.2024, a report dated 04.05.2024 has been received from the concerned Court, stating that the compromise in the present case is genuine and voluntary. Though there were eight accused persons in the FIR, however, compromise has been effected only with six accused persons.

5. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR, in part, qua the petitioners. Even, 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 in question, qua the petitioners, 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 ***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 petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in '**Jayrajsingh Digvijaysinh Rana Vs. State of Gujarat and Another**', 2012(4) R.C.R.

(Criminal) 589 and this Court in ‘Joginder Singh & Another Vs. State of Punjab and Another’, passed in CRM-M-23739- 2010 decided on 27.04.2011, ‘Rajinder Singh Vs. State of Punjab & Another’, passed in CRM-M- 37395-2016 decided on 16.05.2017 and ‘Vimal Kalra & others Vs. State of Punjab & another’, passed in CRM-M-20355-2022, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

8. Moreover, learned counsel for the petitioners on instructions from his clients, submits that they volunteers to serve public cause by providing 1000 pieces of I/V Sets, 24 pieces of Mersilk CTN No.2.0, 24 pieces of Mer Silk CTN No.1.0 and 1 Glucometer with Extra strips (300 strips) to Civil Hospital, Nakodar

9. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No. 26 dated 25.01.2013 registered under Sections 447, 379 and 149 of IPC at P.S. Nakodar, Jalandhar along with all consequential proceedings arising therefrom, are hereby quashed qua the petitioners.

10. Accordingly, petition stands, allowed, however subject to providing 1000 pieces of I/V Sets, 24 pieces of Mersilk CTN No.2.0, 24 pieces of Mer Silk CTN No.1.0 and 1 Glucometer with Extra strips (300 strips) to Civil Hospital, Nakodar 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 be sent to the office of Advocate General, Punjab at the earliest for maintaining records in this regard.

07.05.2024

Tejwinder

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No