

CRM-M No.14847 of 2024 (O&M)

2024:PHHC:071648



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

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**CRM-M No.14847 of 2024 (O&M)
Date of Decision: 20.05.2024**

**GURBHINDER SINGH @ BHINDER AND ANOTHER
.....Petitioner(s)**

Vs

**STATE OF PUNJAB AND ANOTHER
...Respondents**

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

Present: Mr. Kushagra Mahajan Advocate
for the petitioners.

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

Mr. Ankush Rampal, 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.173 dated 04.10.2022 registered under Sections 379-B, 34 IPC at P.S. Majitha, District Amritsar Rural, Punjab along with all consequential proceedings arising therefrom on the basis of compromise.

2. This Court, while issuing notice of motion vide order dated 04.04.2024, directed both the parties 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 04.04.2024, a report dated 08.05.2024 has been received from the concerned court, stating that compromise

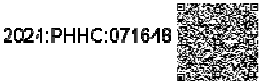


effected between the parties is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender

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, submits that they volunteer to serve public cause by providing one CPM (Continuous Passive Motion) Machine for Physiotherapy to the Civil Hospital, Amritsar, Punjab.



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.173 dated 04.10.2022 registered under Sections 379-B, 34 IPC at P.S. Majitha, District Amritsar Rural, Punjab 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 CPM (Continuous Passive Motion) Machine for Physiotherapy to the Civil Hospital, Amritsar, Punjab 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 20, 2024	(HARKESH MANUJA)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No