

284 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

DATE OF DECISION:-24.04.2024

1. CRM-M-17007-2023

Jagdeep Singh and others...Petitioners..

vs.

State of Punjab and another...Respondents..

2. CRM-M-17015-2023

Anoop Singh and another...Petitioners.

vs.

State of Punjab and another...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Sunita Devi, Advocate for
Mr. Yaseen Sethi, Advocate,
for the petitioners (in CRM-M-17007-2023) and
for respondent No.2 (in CRM-M-17015-2023).

Mr. Siddharth Sandhu, AAG, Punjab.

Ms. Ramandeep Kaur, Advocate for
Mr. Varinder Basa, Advocate,
for the petitioners (in CRM-M-17015-2023) and
for respondent No.2 (CRM-M-17007-2023).

HARKESH MANUJA, J. (Oral)

1. This common judgment of mine shall dispose of two petitions
bearing CRM-M-17015-2023 and CRM-M-17007-2023.
2. CRM-M-17015 of 2023 has been filed for quashing of FIR No.47,

Hargobindpur, District Batala, Gurdaspur, Punjab (Annexure P-1) along with all subsequent proceedings arising therefrom, on the basis of compromise dated 24.02.2023 (Annexure P-3).

3. CRM-M-17007 of 2023 has been filed for quashing of DDR No. 17 dated 19.06.2016, under Sections 325, 323, 34 IPC, Police Station Shri Hargobindpur, District Batala, Gurdaspur, Punjab (Annexure P-1) recorded in FIR No.47, dated 18.06.2016, under Sections 325, 323, 34 IPC, Police Station Shri Hargobindpur, District Batala, Gurdaspur (Annexure P-2) along with all subsequent proceedings arising therefrom, on the basis of compromise dated 24.02.2023 (Annexure P-3).

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 08.08.2023 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 20.09.2023 have been received from the concerned Court, stating that compromise is genuine, voluntarily, without any coercion or undue influence between the complainant and the accused persons. No accused has been declared as proclaimed person.

6. 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, 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.

7. 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.***

8. Moreover, learned counsel for the petitioners, on instructions from his client, submits that they volunteer to serve public cause by providing the following medical equipment up to the cost of Rs.30,000/- to Civil Hospital, Sirsa.

9. 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, both the petitions are allowed, FIR No.47, dated 18.06.2016, under Sections 325, 323, 34 IPC, Police Station Shri Hargobindpur, District Batala, Gurdaspur, Punjab as well as all subsequent proceedings including cross-case bearing DDR No.17, dated 19.06.2016, under Sections 325, 324, 34 IPC, are hereby quashed qua the petitioners.

10. Accordingly, petitions stand allowed, however, subject to

providing equipment as mentioned below to the Civil Hospital, Batala, Gurdaspur, within a period of three 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, Haryana at the earliest for maintaining records in this regard.

Sr. No.	Name of Equipment	Qty
1	Plasma Expressor (Terumo Penpol Company)	2

24.04.2024

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No

whether reportable: Yes/No