

2024:PHHC:078342



250 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19894-2024 (O&M)
DATE OF DECISION:-30.05.2024

Angrej Singh ...Petitioner..

vs.

State of Punjab and another ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Angrej Singh Sarwara, Advocate,
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

Mr. Sukhcharan Singh Gill, Advocate,
for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.79 dated 28.11.2022 registered under Sections 458, 324, 323, 34 IPC at Police Station Rureke Kalan, District Barnala (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 16.12.2022 (Annexure P-2).

Status report by way of affidavit of Mr. Manavjit Singh Sidhu (PPS), Deputy Superintendent of Police, Sub-Division, Tapa, District Barnala on behalf of respondent-State has been filed in Court today and the same is taken on record.

2. As per the allegation levelled in the FIR, petitioner inflicted injuries to respondent No.2 with kirpan after having entered into his room.

3. In pursuance of order dated 23.04.2024 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, report dated 03.05.2024 has been received from the concerned Court, stating that compromise is genuine, voluntarily and out of free will of the parties. No accused has been declared as proclaimed offender.

4. 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; there does not appear to be any impediment as regards quashing of present FIR qua the petitioner. 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.

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 (CrI.) 543.

6. Moreover, learned counsel for the petitioner on instructions from his client, submit that he volunteers to serve public cause by providing one wheel chair to Civil Hospital, Barnala.

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, FIR No.79 dated 28.11.2022 registered under Sections 458, 324, 323, 34 IPC at Police Station Rureke Kalan, District Barnala (Annexure P-1) as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

8. Accordingly, petition stands allowed, however, subject to providing one (01) wheel chair to Civil Hospital, Barnala, within a period of two weeks from today as volunteered by the petitioner 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.

9. Pending application(s), if any, stand(s) disposed of.

30.05.2024

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(HARKESH MANUJA)
JUDGE

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