IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 24242 of 2023 (O&M)
Date of Decision: 29.01.2024

Balwant Singh @ Banta Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Arun Gupta, Advocate for
Mr. Rakesh Gupta, Advocate,
for the petitioners.

Mr. Shubham Kaushik, Assistant Advocate General, Punjab
for respondent No. 1.

Mr. Arjun Atri, Advocate
for respondent No. 2.

****

HARKESH MANUJA, J. (ORAL)

The petitioners, by way of present petition filed under Section 482 Cr.P.C., seek quashing of FIR No. 34 dated 29.03.2022 (Annexure P-1) under Sections 148, 149, 323, 324 & 506 of IPC (Section 307 of IPC added later on), registered at Police Station Julkan, District Patiala, alongwith all consequential proceedings arising out of the same on the basis of compromise dated 22.03.2023 (Annexure P-2).

[2] This Court, while issuing notice of motion vide order dated 15.05.2023 and subsequent order dated 30.11.2023, directed the parties to appear before the Trial Court/Illaqa Magistrate for recording their statements with regard to the validity of compromise.

Dinesh Kumar
2024.02.01 10:10
I attest to the accuracy and
integrity of this document

[3] In pursuance of above order dated 30.11.2023, a report dated 20.12.2023 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] It is submitted that concededly, there is no opinion regarding the nature of injuries and therefore, it is highly debatable whether an offence under Section 307 of the Indian Penal Code is made out or not.

[5] 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 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 ***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.***

Dinesh Kumar
2024.02.01 10:10
I attest to the accuracy and
integrity of this document

[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 petition is **allowed** and the FIR (supra) as well as all subsequent proceedings arising therefrom are hereby quashed *qua* the petitioners.

[8] The aforesaid order shall, however, be subject to payment of costs of Rs. 10,000/- to be deposited by the petitioners with the Poor Patients Welfare Fund of the PGIMER, Chandigarh, within a period of two weeks from today.

January 29, 2024 **(HARKESH MANUJA)**
'dk kamra' **JUDGE**

Whether Speaking/reasoned	*Yes/No*
Whether Reportable	*Yes/No*

Dinesh Kumar
2024.02.01 10:10
I attest to the accuracy and
integrity of this document