

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

268

CRM-M NO.32220 of 2023

DATE OF DECISION: 14.03.2024

Sajan and another

.....Petitioners

VERSUS

State of Punjab and another

.....Respondents

CORAM HON'BLE MR. JUSTICE HARKESH MANUJA

Present Mr.Sandeep Arora, Advocate,
for the petitioners.

Mr.Sidharth Sandhu, AAG, Punjab.

Mr. G.S.Rawat, 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.107 dated 19.062022 under Sections 380, 454 and 411 IPC (added lateron), registered at Police Station Division No. 5 Jalandhar (Annexure - P-1) along with all consequential proceedings arising therefrom on the basis of compromise.
2. Notice of motion was issued on 26.07.2023 and both the parties were directed to appear before the Trial Court/Illaqa Magistrate for recording their statements with regard to the validity of compromise.
3. In pursuance of the aforesaid order dated 08.02.2024 passed by this Court, whereby the parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 05.03.2024 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. Proceedings qua accused Gursimran Singh have already dropped vide order dated 08.02.2024, passed by this Court in CRM-M-13559-2023.

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); and also the fact that the FIR qua the co-accused Gursimran Singh has already been quashed, 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. 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.107 dated 19.06.2022 under Sections 380, 454 and 411 IPC (added lateron), registered at Police Station Division No. 5 Jalandhar (Annexure -P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed, however subject to payment of cost(s) of Rs.5,000/- each to be deposited in the Poor Patients Welfare Fund of the PGIMER, Chandigarh, Chandigarh, within a period of two weeks from today.

14.03.2024
mamta

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No