

CRM-M-34633-2023

2024:PHHC:017294
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271 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-34633-2023
DATE OF DECISION:-07.02.2024

Lakhwinder Singh and others

...Petitioners

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gursharan Singh, Advocate,
for the petitioners.

Mr. G.S. Dhillon, AAG, Punjab.

Mr. Aazam Khan, Advocate for
Mr.Ritesh Pandey, Advocate,
for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.151, dated 31.12.2013, under Sections 295, 506, 148, 149 IPC, registered at Police Station Sri Hargobindpur, District Batala (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise by way of affidavit dated 17.03.2023 (Annexure P-2).

2. As per the allegations in the FIR, the petitioners caught hold of the complainant from beard, de-turbaned him and also threw him after pulling his hair, besides it, they also gave kick blows.

3. In pursuance of order dated 12.12.2023 passed by this Court, whereby parties were directed to appear before the Trial Court for getting

CRM-M-34633-2023

their statements recorded as regards the veracity of compromise arrived at between them, a report dated 11.01.2024 has been received from the concerned Court, stating that the compromise is genuine, voluntary and without any coercion or undue influence between the complainant and the accused persons. No accused has been declared as proclaimed person.

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 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.

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 facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.151, dated 31.12.2013, under Sections

CRM-M-34633-2023

295, 506, 148, 149 IPC, registered at Police Station Sri Hargobindpur, District Batala as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited by the petitioners with the PGI Poor Patient Welfare Fund, within a period of two weeks from the date of receipt of certified copy of this order.

07.02.2024
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(HARKESH MANUJA)
JUDGE

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