

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-43653-2022

Date of Decision: February 06, 2024

RAVINDER KUMAR AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Lupil Gupta, Advocate for the petitioners.
Mr. Gurlal Singh Dhillon, AAG, Punjab.
Mr. Rohit Sharma, Advocate for respondents No.2 and 3.
Ms. Anju Bala/respondent No.4-in person.

HARKESH MANUJA, J. (ORAL)

By way of first petition filed under Section 482 Cr.P.C. the petitioners pray for quashing of case FIR No.152 dated 01.11.2019 registered under Sections 379, 356, 506 and 120-B IPC at P.S. Bahawala, District Fazilka, along with all consequential proceedings arising out of the same on the basis of compromise dated 10.09.2022.

2. As per allegations levelled in the FIR, the petitioners forcibly attempted to snatch the Anganwari registers from the complainants.

3. This Court while issuing notice of motion vide order dated 21.09.2022 and order dated 23.08.2023 directed the parties to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them. In pursuance to the orders dated 21.09.2022 and 23.08.2023, reports dated 10.11.2022 and 05.10.2023 respectively have been received from the concerned Court, stating that the compromise in the present case is genuine and voluntary.

4. Learned counsel for the petitioners submits that once, a compromise has been arrived at between the parties without any pressure and respondents No.2 to 4 have no objection as regards quashing of FIR

as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even, 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 On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the reports dated 10.11.2022 and 05.10.2023. In the present case, even if the averments made in the FIR are taken at face value, the registers were never snatched or taken away from the Government office but were taken from a photostat shop where an altercation took place between the parties and the same admittedly now stands returned. 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 directions issued by this 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***".

7. Thus, in view of the aforesaid reports, accompanied by statements of the parties as well as keeping in mind the law laid down in the aforementioned judgments, the petition is allowed and FIR No.152 dated 01.11.2019 registered under Sections 379, 356, 506 and 120-B IPC at P.S. Bahawala, District Fazilka along with all consequential proceeding arising therefrom, are hereby quashed.

8. The aforesaid order shall, however, be subject to payment of Costs of Rs.25,000/- to be deposited with Anganwari Center NV:03651080303, Sitogunno, Tehsil Abhor, District Fazilka bearing Account No.02731000907370 and IFSC Code:-PSIB0000273, Punjab and Sind Bank within a period of two weeks from today.

06.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>