

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.43626 of 2023
Date of Decision: 11.03.2024

MANJIT KAURPetitioner(s)

Vs

STATE OF PUNJAB AND ANOTHER
....Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. B.D. Sharma, Advocate
for the petitioner.

Mr. Siddharth Sandhu, Asstt. A.G., Punjab.

Mr. Kashmir Singh, Advocate for
Mr. Surinder Garg, 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 Calandra registered under Section 182 IPC bearing Report No.21 dated 06.07.2019 at P.S. Kamboj District Amritsar Rural (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise.
2. Notice of motion was issued on 01.09.2023 and both the parties were directed to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the validity of compromise.
3. In pursuance of the aforesaid order dated 01.09.2023 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 10.10.2023 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. 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 present Calandra as well as all other subsequent proceedings arising out of the same against the petitioner(s); there does not appear to be any impediment as regards quashing of present Calandra 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 Calandra on the basis of compromise entered into between the parties. Reliance has also been placed on the decision dated 18.12.2019 passed in CRM-M No.5678 of 2019 titled 'Sucha Singh and Ors. Vs. State of Punjab and another' and decision dated 10.03.2021 passed CRM-M No.28793 of 2020 in titled 'Usha Rani vs. State of Punjab and another' by this Court.

5. The proceedings under Section 182 IPC is for lodging a false complaint. Once 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 Calandra. 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 Calandra registered under Section 182 IPC bearing Report No.21 dated 06.07.2019 at P.S. Kamboj District Amritsar Rural as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

7. Accordingly, petition stands allowed, however subject to payment of cost(s) of Rs.10,000/- to be deposited in the Poor Patients Welfare Fund of the PGIMER, Chandigarh, within a period of two weeks from today.

March 11, 2024
Atik

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No