

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

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CRM-M No.46730 of 2023 (O&M)

Date of Decision: 05.03.2024

BALWINDER SINGH ALIAS BILLU AND OTHERS

.....Petitioner(s)

Vs

STATE OF PUNJAB AND OTHERS

....Respondents

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

Present: None for the petitioner(s).

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

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.395 dated 07.11.2021 registered under Sections 323, 324, 355, 148, 149 IPC at Police Station Sohana District SAS Nagar (Mohali) (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise.

2. Notice of motion was issued on 15.01.2024 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 15.01.2024 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 31.01.2024 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.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent Nos.2 to 4 having no objection as regards quashing of FIR 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 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.395 dated 07.11.2021 registered under Sections 323, 324, 355, 148, 149 IPC at Police Station Sohana District SAS Nagar (Mohali) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner(s).

7. Accordingly, petition stands allowed, however subject to payment of cost(s) of Rs.5,000/- to be deposited by the petitioner(s) with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

March 05, 2024

Atik

Whether speaking/reasoned

Whether reportable

(HARKESH MANUJA)

JUDGE

Yes/No

Yes/No