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

CRM-M-49471-2023 (O&M)

Date of Decision: 22.04.2024

SURESH KHURANA AND OTHERS

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ravi Malhotra, Advocate, for the petitioners.
Mr. Davinder Bir Singh, Sr. DAG, Punjab.
Mr. Ashish Bakshi, Advocate for respondent No. 2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.55 dated 01.07.2023, registered at Police Station Bhargo Camp, District Jalandhar under Sections 354, 323, 341, 34 of the IPC, on the basis of compromise deed dated 29.08.2023 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the FIR was registered with the allegations that there was a scuffle *inter se* petitioner No.2 and respondent No.2 on account of some defects found in the construction work done by petitioner No.1. Now the matter has been amicably resolved as per compromise deed, Annexure P-2 and respondent No.2 does not want to take any action in the present FIR.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties.

[4] On 12.12.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 20.01.2024, received from the learned Chief Judicial Magistrate (NRI Court), Jalandhar the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as “Proclaimed Offender”.

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Keeping in view the facts and circumstances of the case, the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon’ble Apex Court in *Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543* and the decision of Hon’ble the Full Bench of this Court in *Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052*, the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and FIR No. 55 dated 01.07.2023, registered at Police Station Bhargo Camp, District Jalandhar under Sections 354, 323, 341, 34 of the IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] Pending miscellaneous application(s), if any, shall also stand disposed of.

22.04.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

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