

2024:PHHC:004974

235 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-52187-2023
Date of Decision: 12.01.2024

AJIT PAL SINGH AND OTHERS ...Petitioners

V/S

STATE OF PUNJAB AND OTHERS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Umesh Aggarwal, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in the present petition under Section 482 of Code of Criminal Procedure is for quashing of FIR No. 200 dated 30.11.2021, under Sections 323, 341, 148, 149 of IPC registered at Police Station Division-C, District Police Commissionerate Amritsar (Annexure P-1) along with all consequential proceedings arising out of the FIR on basis of the compromise dated 30.09.2023 (Annexure P-3).

2. Learned counsel for the petitioner *inter alia* contends that it's a case of version and cross version. The accused in the cross version case has already approached by filing CRM-M-52597-2023 titled as ***Satnam Singh and others Vs. State of Punjab and another*** and vide this Court's order dated 04.12.2023 in the aforementioned case, the cross version was quashed on the basis of compromise. In that case, both the parties had

appeared in terms of the order dated 16.10.2023 by this Court and after recording the statement of the parties in respect of compromise dated 30.09.2023 (Annexure P-3), the learned Judicial Magistrate Ist Class, Amritsar has sent the report dated 20.11.2023 that the compromise is genuine, voluntarily and without any coercion or undue influence.

3. Learned counsel for the petitioner has produced the copy of the order passed in CRM-M-52597-2023 to substantiate his assertion. The same is taken on record as Mark 'X'. Registry is directed to tag the same at an appropriate place.

4. Learned State counsel has filed short reply dated 12.01.2024 by way of affidavit of Khushbir Kaur, PPS, Assistant Commissioner of Police, South Amritsar on behalf of respondent No.1 and the same is taken on record.

5. Learned State counsel on instructions from ASI Ramesh Kumar affirms the factum of compromise between the parties and also that the cross version has already been quashed by this Court on 04.12.2023.

6. I have heard learned counsel for the parties and have gone through the record with their able assistance.

7. The parties have arrived at a compromise and settled their dispute. A compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of

ultimate conviction are bleak. A two Judge Bench of the Hon’ble Supreme Court in *Shakunta Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63*, speaking through Justice V.R. Krishna Iyer, has held as under:-

“4.The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship or reunion.....”

8. Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466** and **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and Full Bench of this Court in **Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052**, this petition is allowed and FIR No. 200 dated 30.11.2021 registered under Sections 323, 341, 148 and 149 of Indian Penal Code, registered at Police Station Division-C, District Police Commissionerate Amritsar (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua the petitioner only.

12.01.2024
pry

(HARPREET SINGH BRAR)
JUDGE

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