

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

297

CRM-M-57153-2023 (O&M)
Date of decision: 12.03.2024

AJMER SINGH AND OTHERS

...Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. Manoj R. Sharma, Advocate
for the petitioners.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

Ms. J.S. Salana, Advocate for
Mr. Sandeep Sharma, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.68 dated 05.08.2021, under Sections 452, 354, 324, 323, 149 IPC registered at Police Station Qadian, Police District Batala, District Gurdaspur (Annexure P-1), on the basis of compromise dated 30.10.2023 (Annexure P-2) arrived at between the parties.

[2] Learned counsel for the petitioners *inter alia* contends that the present FIR was registered due to misconception and misunderstanding between the parties. He further contends that the parties have resolved their misunderstanding and a written compromise dated 30.10.2023 (Annexure P-2) has been effected between them. He submits that the parties are residing in the same

district and matter has been compromised between them, as such 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 14.11.2023, 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 26.12.2023, received from the Judicial Magistrate, Ist Class, Batala through the District & Sessions Judge, Gurdaspur, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as “Proclaimed Offenders” and they are not involved in any other criminal case.

[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 and 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.68 dated 05.08.2021, under Sections 452, 354, 324, 323, 149 IPC registered at Police Station Qadian, Police District Batala, District Gurdaspur and all the subsequent

proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

[9] However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)
JUDGE

12.03.2024

P.Bhatt	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No