



CRM-M No. 52990 of 2024

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

CRM-M-52990-2024

Date of decision : December 05, 2024

Paramjit Jassal and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE KULDEEP TIWARI

Present :- Mr. J. S. Lalli, Advocate
for the petitioners.

Ms. Avneet, AAG., Punjab.

Mr. Rajat Verma, Advocate
for respondent No.2.

KULDEEP TIWARI, J. (ORAL)

1. The instant petition has been filed under Section 528 BNSS, 2023 for quashing of FIR No. 01 dated 02.01.2024 under Sections 325, 323, 427 and 34 IPC registered at Police Station Lambran, District Jalandhar (Rural), and all other subsequent proceedings arising therefrom, on the basis of a compromise dated 12.10.2024 (Annexure P-2), as entered into inter se the petitioners and respondent No.2/complainant.

2. Learned counsel for the petitioners submits that there are total eight accused in the FIR (supra). As per report of the JMIC, Jalandhar, compromise has been effected between four accused persons and the complainant.

3. Upon an affirmative response from the learned counsel for respondent No.2 *qua* the compromise (Annexure P-2), this Court, through an order drawn on dated 24.10.2024, upon the instant petition, besides issuing notice, directed the parties to appear before the learned trial Court/*Illaq*a Magistrate concerned, for getting their respective statements recorded *qua* authenticity of the compromise (Annexure P-2). Moreover, the learned trial Court/*Illaq*a Magistrate concerned was also directed to send a report in the above regard.

4. Consequent to the making of the directions (*supra*), the parties appeared before the learned Judicial Magistrate, Ist Class, Jalandhar and got their respective statements recorded, thereby authenticating the compromise (Annexure P-2). Accordingly, in compliance of the directions (*supra*) of this Court, a report bearing No.470, dated 03.12.2024, has been received from the learned Judicial Magistrate, Ist Class, Jalandhar wherein, a satisfaction has been recorded by the Magistrate concerned *qua* the compromise (*supra*), being drawn in a genuine and voluntary and without any pressure or coercion and out of free will of the parties.

5. This Court has heard counsel for the parties concerned, and gone through the entire case file.

6. A Co-ordinate Bench of this Court, in **CRM-M-25669-2020 (O&M)**, titled “**Abhishek Singh & others V/s State of Punjab & others**”, **Pronounced on: 07.04.2022**, while granting a similar relief, as craved in the instant petition, has observed as under:-

“9. The following aspects would be relevant to conclude this petition:-

a) The accused and the private respondents have amicably settled the matter between them in terms of the compromise deed and the statements recorded before the concerned Court;

b) A perusal of the documents reveal that the settlement has not been secured through coercion, threats, social boycotts, bribes, or other dubious means;

c) The victim has willingly consented to the nullification of criminal proceedings;

d) There is no objection from the private respondents in case present FIR and consequent proceedings are quashed;

e) In the given facts, the occurrence does not affect public peace or tranquillity, moral turpitude or harm the social and moral fabric of the society or involve matters concerning public policy;

f) The rejection of compromise may also lead to ill will. The pendency of trial affects career and happiness;

g) There is nothing on the record to prima facie consider the accused as an unscrupulous, incorrigible, or professional offender;

h) The purpose of criminal jurisprudence is reformatory in nature and to work to bring peace to family, community, and society;

i) The exercise of the inherent power for quashing the conviction, sentence and all previous proceedings is justified to secure the ends of justice.”

7. In the light of the hereinabove recorded aspects and considering the fact that the offences, for which the petitioners/accused have been charged, are not of grave in nature, as also in view of the law laid down in ***Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543*** and ***Kulwinder Singh,***

others Vs. State of Punjab 2007(3) RCR (Criminal) 1052, the present petition for quashing the FIR (supra) is hereby **allowed**.

8. Resultantly, FIR No. 01 dated 02.01.2024 under Sections 325, 323, 427 and 34 IPC registered at Police Station Lambran, District Jalandhar (Rural),(Annexure P-1), and all other subsequent proceedings arising out therefrom, on the basis of a compromise (Annexure P-2) is quashed.

(KULDEEP TIWARI)
JUDGE

December 05, 2024
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Whether speaking/reasoned	Yes
Whether Reportable :	No