

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

CRM-M-59521-2023 (O&M)
Date of Decision: 21.02.2024

Sudesh Kumar Gupta and others Petitioners
Versus

State of Punjab and another Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manan Jain, Advocate
for the petitioners.

Mr. Sidharth Sandhu, Assistant Advocate General, Punjab,
for respondent No. 1.

Mr. Krishna Dayama, Advocate,
for respondent No. 2.

HARKESH MANUJA, J. (ORAL)

1. Status report by way of affidavit of Murad Jasvir Singh Gill, PPS, Assistant Commissioner of Police (West), Ludhiana has been filed on behalf of respondent No.1-State of Punjab. The same is taken on record.
2. The petitioner, by way of present petition filed under Section 482 Cr.P.C., seek quashing of FIR No. 89 dated 04.07.2023(Annexure P-1) under Sections 406, 420 and 120-B of IPC, at Police Station Sarabha Nagar, District Ludhiana and all the consequential proceedings arising therefrom on the basis of compromise dated 17.11.2023 (Annexure P-2).
3. This Court, while issuing notice of motion vide order dated 29.11.2023, had directed the parties to appear before the Trial Court/Illaq

Magistrate for recording their statements with regard to the validity of compromise.

4. In pursuance of above order dated 29.11.2023, a report dated 19.02.2024 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.

5. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No. 2 has no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR *qua* the petitioners. 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.

6. 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.***

7. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the petition is **allowed** and the FIR (supra) as well as all subsequent proceedings arising therefrom are hereby quashed *qua* the petitioners.

8. The aforesaid order shall, however, be subject to payment of costs of Rs. 10,000/- to be deposited by the petitioner with the Poor Patients’ Welfare Fund of the PGIMER, Chandigarh, within a period of two weeks from today.

February 21, 2024
monika

(HARKESH MANUJA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>