

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M NO. 1184-2024
DATE OF DECISION: 14.03.2024

Rakesh and anotherPetitioners

VERSUS

State of Punjab and anotherRespondents

CORAM HON’BLE MR. JUSTICE HARKESH MANUJA

Present Mr.Jashan Mehta, Advocate,
for the petitioner.

Mr.Sidharth Sandhu, AAG, Punjab.

Mr. Mohit Sharma, Advocate, for respondent no.2.

HARKESH MANUJA, J (ORAL)

1. By way of present petition filed under Section 482 Cr.P.C., prayer is made for quashing of FIR No.0081 dated 16.05.2020, under Sections 420, 465, 468, 471 and 120-B IPC, registered at Police Station Anaj Mandi, District Patiala, Punjab (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 13.05.2023 (Annexure P-2).
2. Notice of motion was issued on 11.01.2024 and both the parties were directed to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the validity of compromise.
3. In pursuance of the aforesaid order dated 11.01.2024 passed by this Court, whereby the parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 12.03.2024 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.
4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of

FIR as well as all other subsequent proceedings arising out of the same against the petitioner(s); there does not appear to be any impediment as regards quashing of present FIR qua the petitioner(s). 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. Accused Mohan Lal has died.

5. 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.

6. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.0081 dated 16.05.2020, under Sections 420, 465, 468, 471 and 120-B IPC, registered at Police Station Anaj Mandi, District Patiala, Punjab (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed, however subject to payment of cost(s) of Rs.5,000/- to be deposited in the Poor Patients Welfare Fund of the PGIMER, Chandigarh, Chandigarh, within a period of two weeks from today.

14.03.2024
mamta

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No