

CRM-M No.61912 of 2023

2024:PHHC:014338

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

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CRM-M No.61912 of 2023

Date of Decision: 01.02.2024

BALBIR KAUR AND OTHERS

.....Petitioners

Vs

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Puneet Kumar Bansal, Advocate
for the petitioners.

Mr. Gurlal Singh Dhillon, Asstt. A.G., Punjab.

Mr. Manu Loona, 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 DDR No.35 dated 17.05.2020 registered under Sections 323, 427, 148, 149 (Annexure P-2) in FIR No.152 dated 17.05.2020 registered under Sections 323, 325, 148, 149 IPC (Section 325 IPC added later on) (Annexure P-1) at Police Station Sadar Fazila, District Fazilka along with all consequential proceedings arising therefrom on the basis of compromise.

2. Notice of motion was issued on 11.12.2023 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 11.12.2023 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 22.12.2023 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 DDR 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 DDR 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 DDR on the basis of compromise entered into between the parties.

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 DDR. 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 DDR No.35 dated 17.05.2020 registered under Sections 323, 427, 148, 149 (Annexure P-2) in FIR No.152 dated 17.05.2020 registered under Sections 323, 325, 148, 149 IPC (Section 325 IPC added later on)

(Annexure P-1) at Police Station Sadar Fazila, District Fazilka 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 by the petitioners with the District Legal Services Authority, Fazilka, within a period of two weeks from today.

February 01, 2024
Atik

(HARKESH MANUJA)
JUDGE

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