

CRM-M-62398-2023

274-a **IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-62398-2023
DATE OF DECISION:-07.02.2024

Labha Masih and another

...Petitioners

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Tejinder Kaur, Advocate for
Mr. Vishal Munjal, Advocate,
for the petitioners.

Mr. G.S. Dhillon, AAG, Punjab.

Ms. Gaganbir Kaur Kahlon, Advocate for
Mr. Vipin Mahajan, Advocate,
for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., the petitioners pray for quashing cross-version case registered vide GD No.19 dated 15.11.2023, under Sections 325, 324, 323, 34 IPC in FIR No.86, dated 23.10.2023, under Sections 325, 323 and 34 IPC, registered at Police Station Kalanaur, District Gurdaspur, Punjab (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 06.11.2023 (Annexure P-3).

2. As per the allegations in the cross-version case, the petitioners inflicted injuries to respondent No.2 with their respective weapons.

3. In pursuance of order dated 12.12.2023 passed by this Court, whereby 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 05.02.2024 has been received from the concerned Court, stating that the compromise effected between the parties is genuine and valid. No accused has been declared as proclaimed person.

4. 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 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 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.

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 facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, cross-version case registered vide GD No.19 dated 15.11.2023, under Sections 325, 324, 323, 34 IPC in FIR No.86, dated

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23.10.2023, under Sections 325, 323 and 34 IPC, registered at Police Station Kalanaur, District Gurdaspur, Punjab as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited by the petitioners with the PGI Poor Patient Welfare Fund, within a period of two weeks from the date of receipt of certified copy of this order.

07.02.2024
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No