

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

287

CRM-M No.63158 of 2023 (O&M)
Date of Decision: 22.04.2024

JASVIR SINGH

.....Petitioner(s)

Vs

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Ankur Bansal, Advocate
for the petitioner.

Mr. Rahul Jindal, Asstt. A.G., Punjab.

Mr. Ruhani Chadha, 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.146 dated 28.07.2017 registered under Sections 3 & 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989 at Police Station Maqsudan, District Jalandhar (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).
2. Notice of motion was issued on 08.01.2024 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 08.01.2024 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 30.01.2024 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. Learned counsel for the petitioner submits that on account of political differences between the parties, who happen to be neighbourers, an uncalled incident took place at the time when the development work in the village was going on through the petitioner, who happens to be Ex.Panch of the village. He also submits that that petitioner volunteers to provide the following items to the Civil Hospital, Kartarpur, District Jalandhar so as further the public cause:-

- i) Laboratory Incubator make TRANSASIA
- ii) Baby Suction Machine Portable make ANAND Instrument and
- iii) Refraction Box make OPTIC/SHAH

5. 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.

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 report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.146 dated 28.07.2017 registered under Sections 3 & 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act), 1989 at Police Station Maqsudan, District Jalandhar as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

8. Accordingly, petition stands, allowed. however subject to providing one Laboratory Incubator make TRANSASIA, Baby Suction Machine Portable make ANAND Instrument and Refraction Box make OPTIC/SHAH to the Civil Hospital, Kartarpur District Jalandhar, within a period of two weeks from today as volunteered by the petitioner against due receipt issued by the concerned Civil Surgeon, who shall prepare an inventory in this regard for its regular inspection by the Director concerned. A copy of the receipt shall also be sent to the office of Advocate General, Punjab at the earliest for maintaining records in this regard.

April 22, 2024
Atik

(HARKESH MANUJA)
JUDGE

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