



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 63197 of 2023 (O&M)
Date of Decision: 24.05.2024

Sunil Thakur and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gautam Kaile, Advocate
for the petitioners.

Mr. Athar Ahmad, Deputy Advocate General, Punjab
for respondent No. 1.

Mr. Siddharth Gupta, Advocate,
for respondent No. 2.

HARKESH MANUJA, J. (ORAL)

The petitioners, by way of present petition filed under Section 482 Cr.P.C., seeks quashing of FIR No. 0088, dated 03.05.2023 (Annexure P-1) under Sections 420 & 120-B of IPC, registered at Police Station City Rampura, District Bathinda, alongwith all consequential proceedings arising out of the same on the basis of statement dated 09.06.2023 (Annexure P-2) made by both the petitioners before the learned JMIC, Phul, District Bathinda on the basis of compromise arrived at between the parties.

[2] This Court, vide order dated 10.05.2024, directed the parties to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the validity of compromise.

[3] In pursuance of above order dated 10.05.2024, a report dated 17.05.2024 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 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.

[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] Moreover, learned counsel for the petitioners, on instructions from their clients, submits that the petitioners volunteer to serve public cause by providing the medical equipment to Civil Hospital, Bathinda.

[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 providing equipment viz. stretcher and wheelchair etc. to the Civil Hospital, Bathinda, amounting to Rs. 20,000/-, within a period of two weeks from the date of receipt of certified copy of this order, as volunteered by the petitioners, 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.

May 24, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

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