



CRM-M-49342-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-49342-2024

Date of decision : 20.01.2025

Parvinder Kumar Rana @ Rintu

..... Petitioner

V/S

State of Punjab and Ors.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Ms. Meenakshi Singh, Advocate for petitioner.

Mr. Ravinder Singh, AAG, Punjab.

Mr. Rakesh Kumar, Advocate for
Ms. Monika Jangra, Advocate for respondents No.2 & 3.

AMARJOT BHATTI J. (ORAL)

1. Petitioner- Parvinder Kumar Rana @ Rintu has filed instant petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for quashing of FIR No.0085 dated 28.08.2019 (Annexure P-1), under Sections 323, 354 of IPC, 1860, registered at Police Station Kathgarh, District Shaheed Bhagat Singh Nagar, Punjab and all subsequent proceedings arising therefrom on the basis of compromise dated 26.04.2024 (Annexure P-2).

2. As per the facts of the case, complainant gave her statement to the police that she was doing private job in Sun Pharma Factory, Saini Majra near Nalagarh, District Solan, Himachal Pradesh. On 25.08.2019 at about 6:00 PM, her mother Jasvir Kaur went to the shop of Rintu to purchase vegetables of Rs.60/-. She gave currency note of Rs.500/- and returned home with the vegetables and balance amount. Since vegetables were of poor quality, she went to the shop of Rintu to return the same. He got angry and had thrown currency note of Rs.500/- on the road.

The complainant protested. On this, Rintu caught hold of her hair and slapped on her face and gave fist blows. Her t-shirt was torn from the neck. She was insulted in public. On alarm raised by her, she was rescued by her mother. On 26.08.2019, she was taken to Civil Hospital Balachaur where she was medically examined.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 03.10.2024, petitioner and respondents No.2 & 3 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Balachaur dated 09.12.2024. Statements of respondents No.2 & 3 have been recorded, where they confirmed the compromise with petitioner. They confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and they have no objection regarding quashing of FIR.

4. Petitioner- Parvinder Kumar Rana @ Rintu also confirmed this fact in his separate statement. Statement of ASI Jaswinder Kaur is also recorded who further confirmed that accused is not involved or declared as proclaimed offender in any other criminal case.

5. Therefore, from the report of Judicial Magistrate Ist Class, Balachaur, it is clear that compromise has been effected between the parties without any pressure, coercion or undue influence. Both the parties are residents of same village, it would enable them to live in peace and harmony. They have mutually settled all their disputes. It will end all litigation started between them. No purpose would be served with the continuation of criminal proceedings.

6. Gainful reference can be made to the judgment of Larger Bench of Five Judges of this High Court cited in 2007(3) R.C.R. (Criminal) 1052 tilted as

Kulwinder Singh and Ors. Vs. State of Punjab and Anr., where it was explained that ‘there can never be any hard and fast category which can be prescribed to enable the court to exercise its power under Section 482 of Cr.P.C. The only principle that can be laid down is the one which has been incorporated in the section itself i.e. to prevent abuse of the process of any court or to secure the ends of justice.’

7. Therefore, by relying upon the ratio of the aforesaid judgment, no purpose would be served with the continuation of criminal proceedings. Considering these facts, the petition filed by the petitioners is accepted FIR No.0085 dated 28.08.2019 (Annexure P-1), under Sections 323, 354 of IPC, 1860, registered at Police Station Kathgarh, District Shaheed Bhagat Singh Nagar, Punjab and all consequential proceedings arising therefrom are quashed qua petitioner.

**(AMARJOT BHATTI)
JUDGE**

20.01.2025.
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No