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

CRM-M-55233-2024

Date of Decision:- 28.04.2025

RAKESH KUMAR

...Petitioner

Vs.

STATE OF PUNJAB AND ANR

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Vivek Sharma, AAG, Punjab.

Mr. Vivek Singla, Advocate for respondent No.2.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition for quashing of FIR No.106 dated 20.10.2016 under Sections 354, 341, 506 of IPC registered at Police Station Harike, District Tarn Taran (Annexure P-1) and all other consequential proceedings arisen therefrom on the basis of compromise (Annexure P-2).

2. As per facts of the case, Darshan Kaur complainant gave her statement that her son and husband were doing job in ice factory at Harike owned by Roshan Lal. Dispute was going on between Roshan Lal and his son Rakesh Kumar who used to threaten her husband to quit the job. On 18.10.2016 at about 5 pm, she was returning home after purchasing vegetables and suddenly Rakesh Kumar came there and started doing



wrongful act with her. When she opposed, he threatened and slapped her. He had torn her shirt. On the alarm raised by her, her husband reached there and said Rakesh Kumar ran away from the spot. Respectables of the village tried to effect compromise but it failed. Ultimately, matter was reported to the police on the basis of which present FIR has been registered.

3. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Vide order dated 07.11.2024 and subsequent order dated 10.12.2024, petitioner and respondent No.2 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 First Class, Patti dated 03.01.2025. Statement of respondent No.2 has been recorded, where she confirmed the compromise with petitioner. She confirmed that this compromise has been effected without any pressure, coercion or undue influence.

4. Petitioner- Rakesh Kumar also confirmed this fact in his separate statement. Statement of ASI Satnam Singh is also recorded who further confirmed that accused is not proclaimed offender in this case.

5. Therefore, from the report of Judicial Magistrate 1st Class, Patti it is clear that compromise has been effected between the parties amicably. They have mutually settled all their dispute. They will be able to live in peace and harmony. 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 the 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 petitioner is accepted and FIR No.106 dated 20.10.2016 under Sections 354, 341, 506 of IPC registered at Police Station Harike, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua petitioner.

(AMARJOT BHATTI)
JUDGE

28.04.2025

snd	Whether speaking/reasoned	:	Yes/No.
	Whether reportable	:	Yes/No