

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

**CRM-M-35961-2022
Date of Decision: April 29, 2023**

SUKHWINDER SINGH @ PINDI AND ORS

..... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. J.S. Bhinder, Advocate for petitioners.
Mr. Amit Shukla, AAG, Punjab.
Mr. Sylvester, Advocate for respondents No.2-3.

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 482 Cr.P.C. the petitioners pray for quashing of case FIR No.42 dated 25.04.2022 registered under Sections 326, 323, 324, 506, 148 and 149 IPC, P.S. Chhajli, District Sangrur, along with all consequential proceedings arising out of the same on the basis of compromise 02.06.2022(P-2).

2. As per allegations levelled in the FIR, the petitioners stopped the complainants in the street and gave beatings to them with their respective weapons.

3. In pursuance to an order dated 16.08.2022 passed by this Court whereby, the parties were directed to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 02.09.2022 has been received from the concerned Court, stating that the compromise in the present case is genuine and voluntary. There are total four accused. No accused has been declared as proclaimed offender. There are two complainants namely Harjinder Singh and Harpreet

Singh.

TEJWINDER SINGH
2023.04.29 15:54

I attest to the accuracy and
integrity of this order/judgment

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4. Learned counsel for the petitioners submits that once, a compromise has been arrived at between the parties without any pressure and respondents No.2 and 3 have no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even, 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 On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the report dated 02.09.2022. 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 directions issued by this Court in

Kulwinder Singh & Ors. Vs. State of Punjab 2007 (3) RCR

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(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, the petition is allowed and FIR No.42 dated 25.04.2022 registered under Sections 326, 323, 324, 506, 148 and 149 IPC along with all consequential proceedings arising therefrom, are hereby quashed.

8. The aforesaid order shall however be subject to payment of Costs of Rs.5,000/- to be deposited with High Court State Legal Services Authority, Chandigarh within a period of two weeks from today.

29.04.2023
tejwinder

(HARKESH MANUJA)
JUDGE

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