

(Through Video Conferencing)

CRM-M-25049 of 2020

Date of Decision: 15.10.2020

Sukhdeep Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. Sidhant Vermani, Advocate,
for the petitioners.

Mr. Sandeep Vermani, Addl. Advocate General, Punjab.

Mr. Neeraj Yadav, Advocate,
for the complainant.**NIRMALJIT KAUR, J. (ORAL)**

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.158 dated 30.07.2020, under Sections 498-A, 328, 34 IPC, registered at Police Station Mohkapmpura, District Police Commissionerate Amritsar and all other consequential proceedings arising therefrom on the basis of compromise, dated 18.08.2020, Annexure P-2.

Vide order dated 02.09.2020, this Court directed the parties to appear before the trial Court/Area Magistrate for getting their statements recorded with regard to the compromise with a further direction to the Illaqa Magistrate/Duty Magistrate to submit its report with regard to the genuineness of the compromise.

The report of the Judicial Magistrate Ist Class, Amritsar has been forwarded by learned District and Sessions Judge, Amritsar vide his endorsement letter No.6444-R dated 12.10.2020. As per report of the

Judicial Magistrate Ist Class, Amritsar, dated 07.10.2020, the parties have compromised the matter. The said report further confirms that the compromise was genuine and was effected without any pressure or coercion. There are four accused in the FIR and were never declared as proclaimed offender. Challan is yet to be presented.

In view of the above, it is evident that the compromise is genuine.

Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs State of Punjab**, 2008 (2) RCR (Criminal) 429, observed as under:-

“We need to emphasize that it is perhaps advisable that in disputes where the question involved is of a purely personal nature, the Court should ordinarily accept the terms of the compromise even in criminal proceedings as keeping the matter alive with no possibility of a result in favour of the prosecution is a luxury which the Courts, grossly overburdened as they are, cannot afford and that the time so saved can be utilized in deciding more effective and meaningful litigation.”

That a Five Judge Bench of our own High Court in **Kulwinder Singh and others Vs State of Punjab and another**, 2007 (3) RCR (Criminal) 1052, too stated that “the compromise, in a modern society, is the sine qua non of harmony and orderly behavior. It is the soul of justice and if the power under Section 482 of the Cr.P.C. is used to enhance such a compromise which in turn, enhances the social amity and reduces friction, then it truly is “finest hour of justice”.

The learned counsel for the complainant confirms the compromise and stated that he has instructions to state that the complainant

has no objection, if the FIR is quashed.

In view of the above, this Court has no inhibition in accepting the compromise and to quash the FIR on the basis of said compromise.

Accordingly, the present petition is allowed and the FIR No.158 dated 30.07.2020, under Sections 498-A, 328, 34 IPC, registered at Police Station Mohkapmpura, District Police Commissionerate Amritsar and all other consequential proceedings arising out of it are quashed.

It goes without saying that the parties will be bound by the said compromise.

15.10.2020
sandeep

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No