

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

CRM No.M-27131 of 2020 (O&M)
Date of Decision: November 05, 2020

Ajit Singh @ Jeeta and others

...Petitioners

VERSUS

The State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Navraj Singh, Advocate,
for the petitioners.

Ms.Bhavna Gupta, AAG, Punjab
for the respondent-State.

Mr.Sanjeev K. Virk, Advocate
for respondent No.2.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of the COVID-19 pandemic.

The petitioners have invoked inherent jurisdiction of this Court by way of filing petition under Section 482 Cr.P.C., thereby making prayer for quashing of FIR No.22 dated 07.06.2020, under Sections 354, 323, 506, 148 and 149 IPC, registered at Police Station Airport, District Amritsar and all subsequent proceedings arising therefrom, on the basis of compromise.

On 10.09.2020, notice of motion was issued and parties were directed to appear before the Trial Court/Illaq Magistrate and and get their

statements recorded with regard to arrival of compromise between them. The Trial Court was directed to record the statements of all the concerned and send the report regarding genuineness of the compromise.

In compliance of the order dated 10.09.2020, learned Chief Judicial Magistrate, Amritsar, has recorded the statements of the parties and submitted his report, the relevant para whereof reads as under:-

“From the statements of the petitioners/accused and the complainant/respondent, this Court is of the opinion that their compromise is genuine and voluntary and is without any coercion or undue influence.”

It is also mentioned in the report that accused Sajan Singh (petitioner No.3) was convicted by the then Judicial Magistrate Ist Class, Amritsar, in FIR No.67 dated 31.03.2015 under Sections 411 IPC, registered at P.S. Cantonment, vide judgment dated 01.02.2018 and was sentenced to pay Rs.1000/- as fine and in default of payment of fine, to undergo simple imprisonment for 15 days.

After hearing the learned counsel for the parties and also going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at an settlement, out of the Court, by way of compromise. The compromise, so reached between the parties is voluntarily made without any pressure or undue influence on the minds of any of the parties.

In view of the same, the continuation of the criminal

proceedings would be futile exercise resulting in sheer abuse of the process of law.

To so conclude, reliance is placed upon “*Kulwinder Singh and others Vs. State of Punjab and another*”, 2007(3) RCR (Criminal) 1052, upheld by Hon'ble Apex Court in “*Gian Singh Vs. State of Punjab and others*”, (2012) 10 SCC 303.

Considering the aforesaid fact situation of the case, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.22 dated 07.06.2020, under Sections 354, 323, 506, 148 and 149 IPC, registered at Police Station Airport, District Amritsar and all the consequential proceedings arising therefrom, are ordered to be quashed.

Accordingly, the present petition stands allowed.

(ARCHANA PURI)
JUDGE

November 05, 2020
Vgulati

Whether speaking/reasoned
Whether reportable

Yes
Yes/No