

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

CRM-M-34258-2020 (O&M)

Date of decision: 15.12.2020

Vishal Sharma

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Mohan Singh Rana, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Anil Sharma, Advocate,
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

Prayer in this petition is for quashing of FIR No.250 dated
31.10.2019 registered under Sections 323, 341, 148, 149 IPC at Police
Station City Kharar, District SAS Nagar (Mohali) on the basis of
compromise dated 15.10.2020 (Annexure P-2).

The above stated FIR was registered on the statement of the
complainant/respondent No.2-Aman Khan @ Amar Khan.

During the course of preliminary hearing, the trial Court/Illaq
Magistrate was directed to record the statements of the all the concerned
parties with regard to genuineness and validity of the compromise vide
order dated 28.10.2020.

Report has been received from Sub Divisional Judicial

Magistrate, Kharar, in terms of which complainant Aman Khan @ Amar Khan and accused, namely, Vishal Sharma had appeared there and their statements were recorded, in which they have admitted to have entered into a voluntary compromise, without any pressure, coercion, undue influence and inducement from any quarter. Further, the complainant has stated that he has no objection if the FIR in question is quashed by this Court. There is nothing on record to doubt the genuineness of the compromise so arrived at between the parties. Along with the report, statement of the complainant and the accused, have been annexed.

I have heard learned counsel for the parties besides going through the record.

It is proved on record that the parties have amicably settled their dispute by means of compromise Annexure P-2.

Counsel for the parties are *ad idem* that in view of the settlement of dispute between the parties, the criminal prosecution is liable to be quashed as per compromise Annexure P-2.

Since the aforesaid compromise is in the welfare and interest of the parties, so, to my mind, there is no impediment in translating their wishes into reality and quash the criminal prosecution to set the matter at rest to enable them to live in peace and enjoy the life and liberty in a dignified manner.

For the reasons aforesated and having regard to the principles laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3)

RCR (Criminal) 1052, this petition is allowed and the above said FIR along with ancillary proceedings is hereby quashed.

Needless to mention that both the parties will abide by the terms and conditions of the compromise Annexure P-2 in letter and spirit.

(**KARAMJIT SINGH**)
JUDGE

December 15, 2020
Paritosh Kumar

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