

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

CRM-M-5402-2020 (O&M)

Date of decision: 18.2.2021

Sukhmander Singh @ Mander and others

...Petitioners

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH**

Present: Mr. Abhishek Singla, Advocate, for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Harmanjot Singh Gill, Advocate, for

Mr. Shiv Kumar, Advocate, for respondent No.2 to 4.

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**KARAMJIT SINGH, J. (Oral)**

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

**CRM-3544-2021**

This is an application for preponing the date of hearing of the  
main case.

Notice of the application.

Mr. Luvinder Sofat, AAG, Punjab and Mr. Harmanjot Singh  
Gill , Advocate accepts notice on behalf of respondents No.1 and 2 to 4  
respectively. They have no objection if the present application is allowed  
and the date of hearing is preponed. Accordingly, the present application is  
allowed and the main case is preponed to today itself. The main case is  
taken on board today.

**Main case**

Prayer in this petition is for quashing of FIR No.198 dated

Station Talwandi Sabo, District Bathinda on the basis of compromise dated 31.1.2020 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Lachhman Singh.

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 6.2.2020.

Report has been received from Sub Divisional Judicial Magistrate, Talwandi Sabo, as per which, all the petitioners and respondents No.2 to 4 had appeared and got recorded their statements in the said Court, in which, they have admitted about the factum of compromise. They also stated that the said compromise was effected voluntarily, without any pressure, coercion and undue influence. The complainant also stated that he has no objection if the FIR in question is quashed by this Court. Copies of the aforesaid statements of the parties were also received along with the report of the Court concerned.

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

FIR in this case was registered against the petitioners on the basis of the statement of respondent No.2 to the effect that at the time of the occurrence, the petitioners who were armed with different weapons attacked him and respondents No.3 and 4 and caused injuries to them.

As per report received from the Court concerned, the compromise effected between the parties is genuine, voluntary and without

declared proclaimed offender and the police had presented cancellation report in the present FIR but the same was rejected by the Court concerned. Counsel for respondents No.2 to 4 during the arguments admitted the factum of the compromise which has been effected between the parties. He has no objection if the FIR in this case is quashed on the basis of the compromise. Even the learned State counsel has not refuted the factum of the aforesaid compromise which has been effected between the parties.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties. There is no legal impediment in translating their wishes into reality by putting an end to the criminal prosecution initiated on the basis of FIR in question. This will enable the parties to live in peace and enjoy their life in a dignified way.

For the reasons aforesaid and having regard to the law 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 FIR No.198 dated 29.7.2018 registered under Sections 324, 323, 148, 149 IPC at Police Station Talwandi Sabo, District Bathinda and all the subsequent proceedings are hereby quashed qua the petitioners.

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**

**February 18, 2021**

Paritosh Kumar