

223

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

CRM-M-34665-2021

Date of Decision:22.11.2021

Bara Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Sagar Sethi, Advocate,
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. D.D. Sharma, Advocate
for respondents No.2 to 8.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

SANT PARKASH, J.

Petitioners have approached this Court by way of instant petition under Section 482 of the Code of Criminal Procedure invoking its inherent jurisdiction for quashing of G.D. No.002 dated 20.07.2021 registered under Sections 323/324/34 IPC in FIR No.60 dated 20.07.2021 at Police Station Cantt. Bathinda, District Bathinda as well as the consequential proceedings arising therefrom, on the basis of compromise (P-2).

It is pertinent to mention here that the above-said FIR No.60 dated 20.07.2021 has already been quashed by this Court vide order dated 02.11.2021 passed in CRM-M-31932-2021. The present cross-case has arisen out of the said FIR.

Now, with the intervention of the respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, this Court vide order dated 26.08.2021 had directed the parties to appear before the trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the aforesaid orders, a report has been received from Additional Chief Judicial Magistrate, Bathinda at Flag-A stating therein that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine.

Learned State counsel and learned counsel appearing for the complainant admit the factum of compromise and submit that they have no objection to the quashing of the FIR.

I have heard learned counsel for the parties and have gone through the record.

After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Consequently, keeping in view the fact that the dispute has been amicably settled between the parties and in view of the law laid down by the Hon'ble Supreme Court in ***Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466***, the present petition is allowed. Resultantly, G.D. No.002 dated 20.07.2021 registered under Sections 323/324/34 IPC in FIR No.60 dated 20.07.2021 at Police Station Cantt.

Bathinda, District Bathinda as well as the consequential proceedings arising therefrom are quashed qua the petitioners.

22.11.2021
mks

(SANT PARKASH)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO