

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

Date of Decision: 1.12.2021

I.

CRM-M-43939-2020

Puran Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

II.

CRM-M-29248-2021

Jaswinder Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Prateek Pandit, Advocate,
for the petitioners in CRM-M-43939-2020 and
for respondent No.2 in CRM-M-29248-2021.

Mr. Amit Kohar, Advocate,
for the petitioners in CRM-M-29248-2021 and
for respondents No.2 to 4 in CRM-M-43939-2020.

Mr. A.S. Dhaliwal, DAG, Punjab.

KARAMJIT SINGH, J.

This order will dispose of the aforesaid two petitions as they
are arising out of the same FIR.

Prayer in these petitions is for quashing of FIR No.109 dated
9.12.2017 registered under Sections 323, 324, 379, 379-B, 148, 149 IPC and
cross case registered vide report No.20 dated 9.12.2017 under Sections 323,
324, 148, 149 IPC in the aforesaid FIR at Police Station Bholath, District

The above stated FIR was registered on the statement of the complainant/respondent No.2-Jaswinder Singh in which he alleged that on 8.12.2017 at about 7:40 p.m., the petitioners (accused persons) attacked him, his father Tarinderjit Singh and his servant Satpal and caused injuries to them.

The cross case was registered on the statement of Puran Singh alleging that on 8.12.2017, the petitioners in CRM-M-29248-2021, attacked him and caused injuries to him.

On notice of motion, respondents No.2 to 4 (CRM-M-43939-2020) and respondent No.2 (CRM-M-29248-2021) appeared in the Court through their counsel and pleaded that they have no objection if the FIR in this case and cross case are quashed on the basis of the aforesaid compromise which has been effected between the parties.

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 or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Sub Divisional Judicial Magistrate, Bholath, Kapurthala along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the petitioners and for respondents No.2 to 4 in CRM-M-43939-2020 and respondent No.2 in CRM-M-29248-2021 are *ad idem* that in view of the settlement effected between the parties, the

aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner. Also 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.

For the reasons aforestated 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.109 dated 9.12.2017 registered under Sections 323, 324, 379, 379-B, 148, 149 IPC and cross case registered vide report No.20 dated 9.12.2017 under Sections 323, 324, 148, 149 IPC in the aforesaid FIR at Police Station Bholath, District Kapurthala and all the subsequent proceedings are hereby quashed qua the petitioners in both the petitions.

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 1, 2021

Paritosh Kumar

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