

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

THROUGH VIDEO CONFERENCING

CRM-M-612-2021 (O&M)

Date of decision: 18.1.2022

Darshan Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Gaurav Sharma, Advocate, for the petitioners.

Mr. B.S.Sewak, Addl. AG, Punjab.

None for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.126 dated 25.11.2020 registered under Section 307, 436, 427, 148, 149, 506 IPC and Sections 3(2)(3) & 3(1)(s) of SC & ST Act at Police Station Sandaur, District Sangrur on the basis of compromise dated 28.12.2020 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Gurmail Singh son of Rulda Singh in which he stated that on 23.11.2021 at about 2:00 p.m., the petitioners tress-passed into the property which was in his possession and they set on fire Chaff which was lying there. When respondent No.2 tried to extinguish the fire, the petitioners pushed him towards the fire, as a result of which, he sustained burn injuries on his legs and feet.

On notice of motion, respondent No.2 appeared in the Court

through his counsel and pleaded that he has no objection if the FIR in this case is 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 Judicial Magistrate, 1st Class, Malerkotla 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 the State are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that 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.126 dated 25.11.2020 registered under Section 307, 436, 427, 148, 149, 506 IPC and Sections 3(2)(3) & 3(1)(s) of SC & ST Act at Police Station Sandaur, District Sangrur 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

January 18, 2022
Paritosh Kumar

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