

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

**CRM-M-1027 of 2021
Date of Decision:- 05.05.2022**

Jagavar Singh and others

....Petitioners

Vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Vikas Gupta, Advocate for
Mr. Vikasdeep Singh, Advocate
for the petitioners.

Mr. MS Nagra, AAG, Punjab.

Mr. Nagar Singh, Advocate
for remaining respondents.

KARAMJIT SINGH, J.(Oral)

Prayer in this petition is for quashing of FIR No.154 dated 19.05.2018 (Annexure P-1) registered under Sections 379, 323, 148, 149 of IPC registered at Police Station Sultanpur Lodhi, District Kapurthala and Section 201 IPC added lateron, on the basis of compromise dated 04.01.2021 (Annexure P-2).

The above stated FIR was registered on the basis of statement of respondent No.2, in which he stated that at the time of occurrence all the petitioners attacked respondents No.2 and 3.

On notice of motion, respondent Nos.2 and 3 appeared in the Court through their counsel and pleaded that they have no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties. Respondent No.2 has appeared through his Attorney/father Darshan Singh as he himself is not available in India and has gone to Kuwait.

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 Magistrate Sultanpur Lodhi, along with statements of the parties have 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 respondent Nos.2 and 3 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.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer

wastage of time of the Court and thus, amount to abuse of process of law.

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.154 dated 19.05.2018 (Annexure P-1) registered under Sections 379, 323, 148, 149 of IPC registered at Police Station Sultanpur Lodhi, District Kapurthala and Section 201 IPC added lateron and all the subsequent proceedings are hereby quashed qua the petitioners.

05.05.2022

P. Chawla

**(KARAMJIT SINGH)
JUDGE**

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No