

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

**CRM-M-1114 of 2021
Date of Decision:- 05.05.2022**

Lakhvir Singh and another

....Petitioners

Vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Nagar Singh, Advocate
for the petitioners.

Mr. M.S Nagra, AAG, Punjab.

Mr. Vikas Gupta, Advocate for
Mr. Vikasdeep Singh, Advocate
for remaining respondents.

KARAMJIT SINGH, J.(Oral)

Prayer in this petition is for quashing of DDR No.20 dated 22.05.2018 (Annexure P-1) under Sections 323, 451, 148, 149 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala and Section 201 IPC added later on arising out of FIR No.154 dated 19.05.2018 under Sections 379, 323, 148, 149 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala and Section 201 IPC added later on, on the basis of compromise dated 04.01.2021 (Annexure P-3).

The above stated DDR was registered on the basis of statement of respondent No.2, in which he stated that at the time of occurrence respondent Nos.2, 3 and 4 were attacked by the petitioners.

Petitioner No.1 has filed the present petition through his father(attorney) Darshan Singh and the copy of special power of attorney is available on record. As per said Power of attorney petitioner No.1 has gone to Kuwait.

On notice of motion, respondent Nos.2 to 4 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.

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 petitioner and for respondent Nos.2 to 4 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.

Admittedly, in the present case no one was injured and now the parties have effected compromise. 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 DDR No.20 dated 22.05.2018 (Annexure P-1) under Sections 323, 451, 148, 149 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala and Section 201 IPC added later on arising out of FIR No.154 dated 19.05.2018 under Sections 379, 323, 148, 149 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala and (Section 201 IPC added later on) 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