

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

CRM-16507-2022 in/and
CRM-M-2585-2021 (O&M)
Date of decision: 24.5.2022

Ajay Kumar and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Dinesh Nagar, Advocate, for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

Mr. Gaurav Kumar, Advocate, for respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

CRM-16507-2022

Present application has been filed for preponing the date of hearing in the main case.

Notice of the application.

Ms. Samina Dhir, DAG, Punjab, accepts notice on behalf of the State and pleaded no objection if the present application is allowed.

In view of above, the present application is allowed and the main case is taken on board today itself.

Main case

Prayer in this petition is for quashing of FIR No.0048 dated 20.5.2020 registered under Sections 323, 324, 341, 427, 452, 148, 149 IPC at Police Station Rahon, District SBS Nagar on the basis of compromise.

The above stated FIR was registered on the statement of the

complainant/respondent No.2-Sunny Kumar against the petitioners.

On notice of motion, respondents No.2 and 3 appeared in the Court through through 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 Additional Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar 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 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 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.0048 dated 20.5.2020 registered under Sections 323, 324, 341, 427, 452, 148, 149 IPC at Police Station Rahon, District SBS Nagar and all the subsequent proceedings are hereby quashed qua the petitioners.

(**KARAMJIT SINGH**)
JUDGE

May 24, 2022

Paritosh Kumar

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