

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

THROUGH VIDEO CONFERENCING

CRM-M-2437-2020 (O&M)

Date of decision: 18.2.2022

Harpal Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. M.S.Hundal, Advocate, for
Mr. Gaurav Mannan, Advocate, for the petitioners.

Mr. C.L.Pawar, Sr. DAG, Punjab.

Mr. Malkiat Singh, Advocate, and
Ms. Dutt, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.97 dated 12.10.2018 registered under Sections 379 IPC at Police Station Raja Sansi, District Amritsar Rural on the basis of compromise dated 10.10.2019 (Annexure P-2).

The above stated FIR was registered on the basis of the complaint lodged by respondent No.2-Kulbir Kaur in which she alleged that on 24.4.2018, the petitioners and one Harjinder Singh trespassed into her land and they cut and removed the wheat crop which was growing there.

On notice of motion, respondent No.2 appeared in the Court through her counsel and pleaded that she 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 Sub Divisional Judicial Magistrate, Ajnala 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 respondent No.2 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.97 dated 12.10.2018 registered under Sections 379 IPC at Police Station Raja Sansi, District Amritsar Rural and all the subsequent proceedings are hereby

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

February 18, 2022

Paritosh Kumar

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