

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2993-2020(O&M)
Date of Decision:-29.04.2022

AMIT BANSAL

... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Gurcharan Singh Bains, Advocate for
Mr. G.S. Jagpal, Advocate,
for the petitioner.

Mr. M.S Nagra, AAG, Punjab.

Mr. Sachin Kalia, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of FIR No.238 dated 08.11.2018 registered under Sections 279, 337 and 338 of IPC at Police Station Jamalpur, District Ludhiana on the basis of compromise dated 15.01.2020 (Annexure P-2) along with other consequential proceedings arising thereto.

The above stated FIR was registered on the statement of the complainant/respondent No.2 in which he stated that the present petitioner while driving his car in rash and negligent manner, rammed the same into respondent No.2 and due to the said accident he sustained injuries.

Upon notice of motion being issued, respondents No.1 & 2 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 concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Ms. Kamaldeep Kaur, Judicial Magistrate Ist Class, Ludhiana 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 parties 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 aforesated 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.238 dated 08.11.2018 registered under Sections 279, 337 and 338 of IPC at Police Station Jamalpur, District Ludhiana on the basis of compromise dated 15.01.2020 (Annexure P-2) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

29.04.2022
Amandeep

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No