

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

**CRM-M-4023 of 2022
Date of Decision:- 30.05.2022**

Tarwinder Singh @ Goldy and others

....Petitioners

Vs.

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Ms. Jasneet Mehra, Advocate for the petitioner.
Ms. Jaspreet Kaur, AAG, Punjab.
Mr. G.S. Dhillon, Advocate for the complainant.

KARAMJIT SINGH, J.(Oral)

Present petition has been filed by the petitioners seeking quashing of FIR No.186 dated 05.11.2021, under Sections 406, 420, 120-B IPC registered at Police Station Division 'C', Amritsar, District Amritsar and all other subsequent proceedings arising out the same, on the basis of compromise (Annexure P-2) effected between the parties.

The above stated FIR was registered on the basis of complaint lodged by respondent No.2-Rupesh Kumar against the petitioners.

On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he 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 JMIC, Amritsar, 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 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.186 dated 05.11.2021, under Sections 406, 420, 120-B IPC registered at Police Station Division C, Amritsar, District Amritsar and all other subsequent proceedings arising out the same, on the basis of compromise (Annexure P-2) effected between the parties, are hereby quashed qua the petitioners.

30.05.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No