

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

CRM-M-3886-2019
Date of Decision:-12.05.2022

VIJAY KUMAR AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Rishabh Gupta, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Yashasvi Kapila, Advocate for
Ms. Shreya, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of FIR No.63 dated 31.3.2018 registered under Sections 353, 186, 34 IPC at Police Station Civil Lines District Bathinda (Annexure P-1) on the basis of compromise (Annexure P-2) along with other consequential proceedings arising thereto.

The above stated FIR was registered on the basis of the statement of respondent No.2-Manjeet Singh,, who stated that at the time of occurrence, he was posted in police station Civil Lines Bathinda and he went

to Grover Palace in connection with one complaint and when he reached there, he was assaulted by 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 all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Judicial Magistrate Ist Class, Bathinda 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. No doubt in the present case, respondent No.2 got registered the FIR in question in his capacity as a public servant. The Coordinate Bench of this Court in CRM-M-1129-2019 titled as Balkar Singh vs. State of Punjab and others decided on 18.3.2019, allowed the petition filed for quashing of FIR registered under Sections 353, 186, 506 IPC, on the basis of compromise.

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 FIR No.63 dated 31.3.2018 registered under Sections 353, 186, 34 IPC at Police Station Civil Lines District Bathinda (Annexure P-1) on the basis of compromise (Annexure P-2) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

(KARAMJIT SINGH)
JUDGE

12.05.2022
Gaurav Sorot

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