

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

CRM-M-5614-2022
Date of Decision:-10.05.2022

SUMIT NAGPAL AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. J.S. Sodhi, Advocate for
Mr. Surjeet Singh Sodhi, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of FIR No.154 dated 15.10.2019 registered under Sections 323, 324, 341, 148, 149 IPC at Police Station Sadar Ludhiana, District Ludhiana on the basis of compromise dated 25.10.2021 (Annexure P-6) along with other consequential proceedings arising thereto.

Mr. R.S. Dhaliwal, Advocate has put in appearance on behalf of respondent No.2 and filed power of attorney, which is taken on record.

FIR in this case was registered on the basis of the statement of respondent No.2 Sham Sunder Malik, in which he alleged that at the time of occurrence the petitioners attacked him and caused injuries on his person.

On notice of motion, respondents 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 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 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.154 dated 15.10.2019 registered under Sections 323, 324, 341, 148, 149 IPC at Police Station Sadar Ludhiana, District Ludhiana on the basis of compromise dated 25.10.2021 (Annexure P-6) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

(**KARAMJIT SINGH**)
JUDGE

10.05.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No