

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

CRM-M-5809-2022 (O&M)
Date of decision: 12.5.2022

Harpreet Singh Sodhi

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. M.S.Basra, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. G.S.Nahel, Advocate, for
Mr. A.S.Brar, Advocate,
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.65 dated 11.9.2015 registered under Sections 337, 338, 279, 427 IPC at Police Station Sadar Gurdaspur, District Gurdaspur on the basis of compromise dated 15.11.2021 (Annexure P-2).

FIR in this case was registered on the basis of respondent No.2-Parminder Singh, as per which, on 22.8.2015, in the evening, petitioner-Harpreet Singh while driving Vista Car bearing No.PB06-S-9711 in rash and negligent manner caused accident with scooter of respondent No.2, as a result of which, respondent No.2 sustained injuries

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/Illaqa 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, 1st Class, Gurdaspur 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.65 dated 11.9.2015 registered under Sections 337, 338, 279, 427 IPC at Police

Station Sadar Gurdaspur, District Gurdaspur and all the subsequent proceedings are hereby quashed qua the petitioners.

(**KARAMJIT SINGH**)
JUDGE

May 12, 2022

Paritosh Kumar

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