

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

CRM-M-6316-2022 (O&M)

Date of decision: 12.5.2022

Nishan Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH**

Present: Mr. Joginder Pal Devgan, Advocate, for the petitioners.  
Ms. Jaspreet Kaur, AAG, Punjab.  
Mr. Prince Sarangal, Advocate, for respondents No.2 and 3.

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**KARAMJIT SINGH, J. (Oral)**

Prayer in this petition is for quashing of FIR No.147 dated 26.8.2010 registered under Sections 420, 406, 120-B IPC at Police Station Patti, District Tarn Taran on the basis of compromise dated 1.12.2021 (Annexure P-2).

FIR in this case was registered on the basis of the statement of respondent No.2-Karaj Singh in which he alleged that the petitioners committed fraud with him and his son Karandeep Singh respondent No.3 as both of them used to sell their crop to the petitioners.

On notice of motion, respondents No.2 and 3 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 all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid

In compliance thereof, report from the Court of Sub Divisional Judicial Magistrate, Patti 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 respondents No.2 and 3 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.147 dated 26.8.2010 registered under Sections 420, 406, 120-B IPC at Police Station Patti, District Tarn Taran and all the subsequent proceedings are hereby quashed qua the petitioners.

( **KARAMJIT SINGH** )  
**JUDGE**

**May 12, 2022**

Paritosh Kumar

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