

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

CRM-M-7151-2022
Date of Decision:-11.05.2022

JATINDER SINGH SAINI ... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER ... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ankit Aggarwal, Advocate for
Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

Mr. Parveen Sharma, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of FIR No.235 dated 23.11.2021 registered under Sections 279, 337, 427 IPC at Police Station Sirhind, District Fatehagarh Sahib on the basis of compromise dated 14.2.2022 (Annexure P-2) along with other consequential proceedings arising thereto.

FIR in the present case was registered on the basis of the statement of respondent No.2-Avinash Singh, in which, he stated that on 23.11.2021, he along with his mother Paramjit Kaur and wife Karmandeep Kaur was going in Innova Crytra from the side of Khanna towards Patiala. When they reached near bridge of village Adampur, one Eitos Liva car No.PB-07-AJ-2079, which was driven in rash and negligent manner by the petitioner, rammed against his Innova Crysta. Due to the said accident respondent No.2, Paramjit Kaur and Karmandeep Kaur 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/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 Additional Chief Judicial Magistrate Ist Class, Fatehgarh Sahib along with statements of the parties (petitioner, respondent No.2, Paramjit Kaur and Karmandeep Kaur) 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. As the matter has been

compromised, no fruitful purpose would be served by keeping the proceedings pending.

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.235 dated 23.11.2021 registered under Sections 279, 337, 427 IPC at Police Station Sirhind, District Fatehagarh Sahib on the basis of compromise dated 14.2.2022 (Annexure P-2) and all the subsequent proceedings thereof are hereby quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

11.05.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No