

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

CRM-M-6240-2020
Date of Decision:-12.05.2022

LAKHWINDER SINGH AND OTHERS

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ravi Malik, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. K.S. Rana, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of Complaint No.22 of 10.10.2013 titled Jograj Singh vs. Lakhwinder Singh & Others, registered vide COMI/79/2017 dated 10.10.2013 under Sections 323, 452, 295, 341, 506, 34 IPC at Police Station Sandaur pending in the Court of Judicial Magistrate Ist Class, Malerkotla (Annexure P-1) and summoning order dated 21.8.2019 (Annexure P-2) on the basis of compromise dated 6.2.2020 (Annexure P-3) along with other consequential proceedings arising thereto.

The aforesaid complaint was lodged by respondent No.2 Jograj Singh, in which he alleged that at the time of occurrence, the petitioners attacked and caused injuries to him.

On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has no objection if the criminal complaint (Annexure P-1) along with summoning order dated 21.8.2019 (Annexure P-2) 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, Malerkotal 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 Complaint No.22 of 10.10.2013 registered vide COMI/79/2017 dated 10.10.2013 under Sections 323, 452, 295, 341, 506, 34 IPC at Police Station Sandaur pending in the Court of Judicial Magistrate Ist Class, Malerkotla (Annexure P-1) and summoning order dated 21.8.2019 (Annexure P-2) on the basis of compromise dated 6.2.2020 (Annexure P-3) 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