

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

CRM-M-10232-2021 (O&M)

Date of decision: 14.2.2022

Lakhvir Singh @ Sunny and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Karanjeet Singh Brar, Advocate,
for petitioners No.2 to 4
as petitioner No.1 reported to have died.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Rajat Dogra, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.39 dated 25.2.2019 registered under Sections 341, 323, 148, 149 IPC at Police Station Civil Lines, Bathinda, District Bathinda on the basis of compromise dated 21.2.2021 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Parminder Singh in which he stated that on 21.2.2019 at about 2:30 p.m., he was going on his motorcycle and in the way, he was intercepted by two cars in which 9-10 young boys were traveling and then the petitioners attacked him with different weapons and one of the unidentified young boy took away ₹ 2300/- from the pocket of his coat.

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 all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Chief Judicial Magistrate 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 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

RCR (Criminal) 1052, this petition is allowed and FIR No.39 dated 25.2.2019 registered under Sections 341, 323, 148, 149 IPC at Police Station Civil Lines, Bathinda, District Bathinda and all the subsequent proceedings are hereby quashed qua petitioners No.2 to 4 as petitioner No.1 reported to have died.

Needless to mention that both the parties will abide by the terms and conditions of the compromise Annexure P-2 in letter and spirit.

(**KARAMJIT SINGH**)
JUDGE

February 14, 2022

Paritosh Kumar

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