

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

**CRM-M-9422-2022
Date of Decision:-16.09.2022**

Charanjit Singh and others ... Petitioners

Versus

State of U.T., Chd. and others ...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Diwan S. Adlakha Advocate
for the petitioners.

Mr. Ankur Bali, Addl. P.P., U.T., Chandigarh.

Mr. Tarun K. Gill, Advocate for
Ms. Harpreet Kaur for
respondent No.2 & 3.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of Complaint bearing No. NACT 2188 of 2015 dated 18.05.2015 titled as “ Mahavir Singh Vs. State of U.T. Chandigarh and others” as well as summoning order dated 14.11.2019 passed by the learned Judicial Magistrate 1st Class, Chandigarh whereby the petitioners have been summoned to face trial under Sections 147, 148, 149, 323, 506 of IPC, on the basis of compromise dated 29.01.2022 (Annexure P-4) along with other consequential proceedings arising thereto.

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 complaint bearing No.NACT 2188 of 2015 dated 18.05.2015 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 1st Class, Chandigarh, 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 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 Complaint bearing No. NACT 2188 of 2015 dated 18.05.2015 titled as “ Mahavir Singh Vs. State of U.T. Chandigarh and others” as well as summoning order dated 14.11.2019 passed by the learned Judicial Magistrate 1st Class, Chandigarh whereby the petitioners have been summoned to face trial under Sections 147, 148, 149, 323, 506 of IPC, on the basis of compromise dated 29.01.2022 (Annexure P-4) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

16.09.2022
Sonia

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No