

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

272/A

CRM-M-11213-2021

Date of Decision: 15.09.2022

Jasbir Singh & ors.

....Petitioners

VERSUS

State of Punjab & ors.

....Respondents

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Barjinder Singh, Advocate, for
Mr. Nitin Rampal, Advocate,
for the petitioners.

Mr. M.S. Joshi, Addl.A.G., Punjab.

Mr. Parteek Pandit, Advocate,
for respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of cross-case registered vide Report No.30, dated 01.03.2019, under Sections 323, 324, 148, 149, 201 and 34 IPC, at Police Station Begowal, District Kapurthala in FIR No.13 dated 28.02.2019 registered under Sections 323, 324, 201, 148, 149 and 34 IPC at Police Station Begowal, District Kapurthala, on the basis of compromise (Annexure P-3).

The above stated cross-case was registered on the statement of complainant/respondent No.2-Satpal Singh against 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 all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Sub-Divisional Judicial Magistrate, Bholath (Kapurthala) 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. Further as the matter has been compromised, the continuation of the proceedings would amount to abuse of the process of the Court.

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 cross-case registered vide Report No.30, dated 01.03.2019, under Sections 323, 324, 148, 149, 201 and 34 IPC, at Police Station Begowal, District Kapurthala in FIR No.13 dated 28.02.2019 registered under Sections 323, 324, 201, 148, 149 and 34 IPC at Police Station Begowal, District Kapurthala, and all the subsequent proceedings are hereby quashed qua the petitioners.

15.09.2022
monika

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No