

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

CRM-M-10838-2022
Date of decision:01.12.2022

Mandeep Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. A.S. Pahwa, Advocate, for the petitioner.

Mr. M.S.Nagra, AAG, Punjab.

Mr. R.S. Dhaliwal, Advocate for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of complaint No.COMI/911 of 2014 dated 21.10.2014 filed under Sections 420, 467, 468, 471, 472, 473, 474, 475, 476, 120-B IPC, Police Station Focal Point, Ludhiana, District Ludhiana on the basis of compromise.

The above stated complaint was filed by late Surinder Singh father of respondent No.2 Hardeep Singh against the petitioner and his father Amarjit Singh (since deceased).

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

In compliance thereof, report from the Court of JMIC, Ludhiana, 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.

During the pendency of the impugned criminal complaint, Surinder Singh complainant died and respondent No.2 Hardeep Singh was allowed to proceed with the case vide order dated 20.11.2015 (Annexure P-2). Amarjit Singh father of the petitioner has died and his death certificate is Annexure P-5.

Learned counsel for the petitioner(s) 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 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 No.COMI/911 of 2014 dated 21.10.2014 filed under Sections 420, 467, 468, 471, 472, 473,

474, 475, 476, 120-B IPC, Police Station Focal Point, Ludhiana, District
Ludhiana and all the subsequent proceedings are hereby quashed qua the
petitioner.

(**KARAMJIT SINGH**)
JUDGE

01.12.2022
PC

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