

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

CRM-M-14300-2018 (O&M)
Date of decision: 29.8.2022

Yadwinder Singh @ Yadi and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. P.S.Dhaliwal, Advocate,
for the petitioners.

Mr. C.L.Pawar, Addl. AG, Punjab

Mr. Supneet Singh, Advocate, for
Mr. Lakhwinder Singh, Advocate,
for respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.0079 dated 7.3.2016 registered under Sections 307, 324, 506, 120-B, 341 IPC at Police Station City Barnala, District Barnala on the basis of compromise.

The above stated FIR was registered on the statement of the complainant/respondent No.2-Money Goyal against the petitioners.

Complainant Money Goyal has died and is represented by his father Kuldeep Kumar and mother Renu Rani. Death certificate of Money Goyal is available on the record.

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 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 Additional Sessions Judge-I, Barnala 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 respondents No.2 and 3 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 this case, the complainant had died and statements of his father Kuldeep Kumar and eye witness Rajesh Kumar are recorded by the Court concerned wherein they admitted the factum of compromise which has been effected between the parties.

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

in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.0079 dated 7.3.2016 registered under Sections 307, 324, 506, 120-B, 341 IPC at Police Station City Barnala, District Barnala and all the subsequent proceedings are hereby quashed qua the petitioners.

(**KARAMJIT SINGH**)
JUDGE

August 29, 2022

Paritosh Kumar

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