

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

**CRM-M-12904 of 2022
Date of Decision:-16.09.2022**

Kashmir Singh and others

... Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ravinder Pankaj, Advocate for
Mr. R.K. Arya, Advocate
for the petitioners.

Mr. Jaspal Singh Guru, AAG, Punjab.

Mr. Sukhveer, Advocate for
complainant/respondent No.2.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of FIR No.0083 dated 13.10.2021 registered under Sections 323, 324, and 34 of IPC (Sections 326, 452, 506, 195-A added later on) at Police Station Tibber, District Gurdaspur on the basis of compromise dated 01.03.2022 (Annexure P-2) along with other consequential proceedings arising thereto.

On notice of motion, respondents 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 compromise.

In compliance thereof, report from the Court of additional Chief Judicial Magistrate, Gurdaspur, along with statements of the parties has been received, in which, it is mentioned that the compromise is voluntary, genuine and is free from any pressure or coercion in any manner.

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 FIR No.0083

dated 13.10.2021 registered under Sections 323, 324, and 34 of IPC (Sections 326, 452, 506, 195-A added later on) at Police Station Tibber, District Gurdaspur on the basis of compromise dated 01.03.2022 (Annexure P-2) 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