

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

THROUGH VIDEO CONFERENCING

CRM-M-15949-2021 (O&M)

Date of decision: 25.2.2022

Naib Singh and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Nirmaljeet Singh Sidhu, Advocate,
for the petitioners.

Mr. C.L.Pawar, Sr. DAG, Punjab.

Mr. T.S.Hundal, Advocate,
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.36 dated 22.4.2018 registered under Sections 341, 323, 148, 506 IPC at Police Station Phul, District Bathinda on the basis of compromise dated 2.4.2021 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Bhinder Singh in which he alleged that on 18.4.2018, the petitioners and their companions attacked him, Channa Singh, Surjit Singh and Jaswinder Kaur and caused injuries to them.

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 compromise.

In compliance thereof, report from the Court of Sub Divisional Judicial Magistrate, Phul along with statements of the all the concerned parties including Channa Singh and Surjit Singh has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side. As per said report, Jaswinder Kaur has already died on 25.9.2019 and copy of her death certificate is available on record.

I have heard learned counsel for the parties.

Learned counsel for the petitioners 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)

22.4.2018 registered under Sections 341, 323, 148, 506 IPC at Police Station Phul, District Bathinda and all the subsequent proceedings are hereby quashed qua the petitioners.

(**KARAMJIT SINGH**)
JUDGE

February 25, 2022

Paritosh Kumar

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