

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

CRM-M-16652-2022

Date of Decision: July 22, 2022

SHARNJEET SINGH

..... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Gurinder Singh Hayer, Advocate
for the petitioner.

Ms. Maloo Chahal, DAG, Punjab.

Mr. G.S. Simble, Advocate
for respondent no.2-complainant.

LISA GILL, J.

Prayer in this petition is for quashing of FIR bearing No.242 dated 14.09.2019 under section 499, 500, 120-B, 469 IPC and Section 67(A) of Information Technology Act, 2000, registered at Police Station City Muktsar, District Sri Muktsar Sahib and all other consequential proceedings arising therefrom on the basis of compromise dated 29.03.2022 (Annexure P-2) arrived at between the parties.

It is submitted that with intervention of respectables and relatives, compromise has been arrived at between the parties, the terms of which were reduced into writing on 29.03.2022. Parties, it is stated wish to live in peace and harmony and put an end to the acrimony between them.

Present petition has been filed on the basis of this compromise.

The parties were directed vide order dated 22.04.2022 to appear before learned Illaqa/Duty Magistrate for recording their statements in respect to the above-mentioned compromise. Learned trial Illaqa/Duty Magistrate was directed to submit a report regarding genuineness of compromise, as to whether it has been arrived at out of the free will and volition of the parties without any coercion, fear or undue influence. Learned trial Illaqa/Duty Magistrate was also directed to intimate whether petitioner is absconding/proclaimed offender and whether any other case is pending against him. Information was sought as to whether all affected persons are a party to the settlement.

Pursuant to order dated 22.04.2022, parties appeared before the learned Chief Judicial Magistrate, Sri Muktsar Sahib and their statements were recorded on 23.05.2022. As per report dated 25.05.2022 received from the learned Chief Judicial Magistrate, Sri Muktsar Sahib, satisfaction is expressed that compromise between the parties is genuine, arrived at out of free will of the parties, without any coercion or undue influence. It is further reported that only one person was arrayed as accused in this FIR. It is further reported that the complainant – respondent no.2 has suffered a statement to the effect that he has no objection in case FIR No.242 dated 14.09.2019, registered at his instance is quashed as the matter has been amicably resolved between him and the accused person. It is further stated by the complainant that compromise has been entered into by the complainant out of his own free will without any kind of pressure or coercion. Separate statement of accused/petitioner with regard to compromise has also been recorded. SI Laljeet Singh, the Investigating Officer of this case has also

recorded his statement. Copies of statements of the accused/petitioner as well as the complainant are attached along with report dated 25.05.2022. It is duly mentioned in the said report that the accused has not been declared a proclaimed offender in this case and except this case, there is no other criminal case registered against the accused.

Learned counsel for the parties re-affirm and verify the factum of settlement between the parties. It is reiterated that there is no objection to the quashing of the abovementioned FIR.

Learned counsel for the State submits that as the parties have amicably resolved the matter in order to maintain peace and harmony, the State has no objection to the quashing of this FIR on the basis of a settlement arrived at between the parties.

In ***Kulwinder Singh and others versus State of Punjab and another*** 2007 (3) R.C.R. (Criminal) 1052, a five member Bench of this Court has observed as under:-

“The compromise, in a modern society, is the sine qua non of harmony and orderly behaviour. It is the soul of justice and if the power under Section 482 of the Criminal Procedure Code is used to enhance such a compromise which, in turn, enhances the social amity and reduces friction, then it truly is “finest hour of justice”.

Keeping in view the facts and circumstances of this case, it would be in the interest of justice to quash the above said FIR as no useful purpose would be served by continuance of the present proceedings. It will merely lead to wastage of precious time of the court and would be an exercise in futility.

This petition is, thus, allowed and FIR bearing No.242 dated 14.09.2019 under section 499, 500, 120-B, 469 IPC and Section 67(A) of Information Technology Act, 2000, registered at Police Station City Muktsar, District Sri Muktsar Sahib alongwith all consequential proceedings are, hereby, quashed.

22.07.2022

Sunil

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No