

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

**THROUGH VIDEO CONFERENCING**

CRM-M-15914-2021 (O&M)

Date of decision: 14.2.2022

Sarabjit Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH**

Present: Mr. Atul Goyal, Advocate, for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

None for respondent No.2.

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**KARAMJIT SINGH, J. (Oral)**

Prayer in this petition is for quashing of FIR No.145 dated 7.12.2012 registered under Sections 379, 427, 506, 149 IPC (Section 34 IPC added later on and 506 and 149 IPC deleted later on ) at Police Station Meharban, District Ludhiana on the basis of compromise dated 8.3.2021 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Darshan Lal in which he alleged that on 4.12.2012, the petitioners committed theft of bricks and stones which were stacked and stored by respondent No.2 to make *pucca* passage at the spot.

On notice of motion, respondent No.1 appeared in the Court through State 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 Judicial Magistrate, 1<sup>st</sup> Class, 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 petitioners and the State counsel.

From the perusal of the report submitted by the Court of JMIC, Ludhiana, it is evident that the parties appeared before the Court concerned and admitted the factum of compromise. Thus, it has come on record that the parties have settled all their disputes amicably without any pressure or undue influence.

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 FIR No.145 dated 7.12.2012 registered under Sections 379, 427, 506, 149 IPC (Section 34 IPC

Meharban, District Ludhiana and all the subsequent proceedings are hereby quashed qua the petitioners.

Needless to mention that both the parties will abide by the terms and conditions of the compromise Annexure P-2 in letter and spirit.

( **KARAMJIT SINGH** )  
**JUDGE**

**February 14, 2022**

Paritosh Kumar

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