

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

THROUGH VIDEO CONFERENCING

CRM-M-15909-2021 (O&M)

Date of decision: 14.2.2022

Sarabjit Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

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

Mr. Saurav Khurana, DAG, Punjab.

None for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.207 dated 20.7.2020 registered under Sections 379, 427, 148, 149 IPC at Police Station Salem Tabri, District Police Commissionerate 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-Manju Bala wife of Darshan Lal in which she alleged that on 4.1.2020, the petitioner and 7-8 unknown persons tried to block the passage which goes to the fields of respondent No.2. The aforesaid culprits brought JCB machine, tractor trolley and other equipment to block the said passage.

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/Illaqa 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, 1st 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 petitioner and the State counsel.

From the perusal of the report submitted by the Court of JMJC, 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.207 dated

Station Salem Tabri, District Police Commissionerate Ludhiana and all the subsequent proceedings are hereby quashed qua the petitioner.

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

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