

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

CRM-M-35620-2018
Date of Decision:-23.3.2022

ISHPREET SINGH @ SUNNY

... Petitioner

Versus

STATE OF PUNJAB AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Ms. Swati Verma, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Ms. Divyani Sharma, Advocate
for respondent Nos.2 and 3.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

Present petition is for quashing of FIR No.195 dated 17.08.2017
(Annexure P-1), registered under Sections 308, 323, 506, 148 and 149 IPC
at Police Station Shimlapuri, District Ludhiana on the basis of compromise
dated 24.08.2017 (Annexure P-2) along with other consequential
proceedings arising thereto.

The above stated FIR was registered on the statement of the complainant/respondent No.2 in which he alleged that on 16.08.2017 the petitioner along with his accomplices opened attack upon him and inflicted injuries with sword and baseball bats. When his brother Dilpreet (respondent No.3) came for his rescue, the accused also assaulted him.

On notice of motion, respondents No.2 and 3 appeared in the Court through their counsel and pleaded that they have 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 Ist 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 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.195 dated 17.08.2017 (Annexure P-1), registered under Sections 308, 323, 506, 148 and 149 IPC at Police Station Shimlapuri, District Ludhiana on the basis of compromise dated 24.08.2017 (Annexure P-2) and all the subsequent proceedings thereof 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

23.03.2022

Jiten

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No