

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

CRM-M-39141-2018 (O&M)
Date of decision: 4.3.2022

Lakhvir Singh @ Lakha and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Nishan Singh Chahal, Advocate, for the petitioners.

Mr. A.S.Gill, Sr. DAG, Punjab.

Mr. V.S.Mahal, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.122 dated 11.8.2018 registered under Sections 332, 353, 186, 506, 148, 149 IPC at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib on the basis of compromise dated 24.8.2018 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Narinder Kumar in which he alleged that he was working as a Beldar in Irrigation Department and on 8.8.2018, at about 9:00 p.m., he was present on his duty on cross gates and he saw that all the petitioners along with 3-4 other unknown persons were tampering with cross gates to divert the flow of water. He tried to stop them from doing so, on which, all of them attacked him and caused injuries to him.

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/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 Additional Chief Judicial Magistrate, Sri Muktsar Sahib 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 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) RCR (Criminal) 1052, this petition is allowed and FIR No.122 dated 11.8.2018 registered under Sections 332, 353, 186, 506, 148, 149 IPC at

Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib and all the subsequent proceedings are hereby quashed qua the petitioners.

(**KARAMJIT SINGH**)
JUDGE

March 4, 2022

Paritosh Kumar

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