

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

321

CRM-M-28575-2022

Date of Decision:-15.12.2022

Gurmail Singh and Anr.

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ritesh K.Sharma, Advocate
for the petitioners.

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

Mr. Manoj K. Sharma, Advocate
for the respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

Prayer in the present petition under Section 482 Cr.P.C is for quashing of Rapat No.26 dated 15.06.2019 under Sections 294, 324, 323, 341, 34 IPC in FIR No.84 dated 14.06.2019 registered under Sections 341, 324, 323, 34, 506 IPC at Police Station Adampur, District Jalandhar on the basis of compromise dated 20.05.2022 (Annexure P-2) along with other consequential proceedings arising thereto.

The abovesaid FIR was registered on the statement of the complainant/respondents No.2.

On notice of motion, respondents No.2 appeared in the Court through his counsel and pleaded 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 Ms. Mandeep Kaur PCS, Judicial Magistrate First Class, Jalandhar forwarded by District and Sessions Judge, Jalandhar 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. Further as the matter has been compromised, the continuation of the proceedings would amount to abuse of the process of the Court.

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 Rapat No.26 dated 15.06.2019 under Sections 294, 324, 323, 341, 34 IPC in FIR No.84 dated 14.06.2019 registered under Sections 341, 324, 323, 34, 506 IPC at Police Station Adampur, District Jalandhar on the basis of compromise dated 20.05.2022 (Annexure P-2) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

15.12.2022
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(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No