

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

CRM-39058-2022 in/and
CRM-M-28347-2022 (O&M)
Date of decision: 29.11.2022

Gurdeep Singh

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Vikram Preet Arora, Advocate, for the petitioner(s).

Ms. Kanica Sachdeva, AAG, Punjab.

Mr. Anuj Balyan, Advocate, for
Mr. Sahil Chadda, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

CRM-39058-2022

Notice of the application.

Ms. Kanica Sachdeva, AAG, Punjab accepts notice on behalf of
the State and pleads no objection if the same is allowed.

Accordingly, the application is allowed and the main case is
taken on board today itself.

Main case

Prayer in this petition is for quashing of FIR No.115 dated
6.8.2016 registered under Sections 406, 420, 464, 465, 467, 468, 471, 506,
120-B IPC at Police Station Amloh, District Fatehgarh Sahib on the basis of
compromise.

The above stated FIR was registered on the statement of late
Tehal Singh father of respondent No.2-Varinder Singh against the

petitioner.

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/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, 1st Class, Amloh 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.

Today, death certificate of Tehal Singh complainant is furnished and the same is taken on record.

Learned counsel for the petitioner 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. 115 dated 6.8.2016 registered under Sections 406, 420, 464, 465, 467, 468, 471, 506, 120-B IPC at Police Station Amloh, District Fatehgarh Sahib and all the subsequent proceedings are hereby quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

November 29, 2022

Paritosh Kumar

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