

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

CRM-M-28819-2020 (O&M)
Date of decision: 23.11.2022

Harwinder Singh and others

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Shivender Sharma, Advocate, for
Mr. Ashok Paul Batra, Advocate, for the petitioner(s).

Ms. Kanica Sachdeva, AAG, Punjab.
Mr. Anter Singh Brar, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of GD No.038 dated 25.1.2020 in FIR No.16 dated 25.1.2020 registered under Sections 323, 324, 506, 336, 34 IPC and Sections 25, 27 of Arms Act at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib on the basis of compromise.

The above stated GD was registered on the statement of the complainant/respondent No.2-Gurpreet Singh against the petitioners.

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.

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 petitioner(s) 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.GD No.038 dated 25.1.2020 in FIR No.16 dated 25.1.2020 registered under Sections 323, 324, 506, 336, 34 IPC and Sections 25, 27 of Arms Act 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

November 23, 2022

Paritosh Kumar

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