

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

CRM-M-31083 of 2022 (O&M)

Date of Decision:- 01.12.2022

Shamsher Tandon

....Petitioner

Vs.

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. KBS Mann, Advocate
for the petitioner.

Mr. M.S Nagra, AAG, Punjab.

Mr. PPS Brar, Advocate for Mr. Atul Goyal, Adv.
for respondent No.2.

KARAMJIT SINGH, J.

Prayer in this petition is for quashing of cross case registered vide DDR No.48 dated 01.12.2018 under Sections 323, 324, 341 IPC to which Section 201 IPC was added later on at Police Station Sohana, District SAS Nagar (Mohali) in FIR No.298 dated 21.11.2018 under Sections 341, 323, 294, 506 IPC at Police Station Sohana, District SAS Nagar, on the basis of compromise.

The above stated FIR was registered on the statement of the complainant/respondent No.2-Amit Tandon.

On notice of motion, respondent No.2 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 1st Class, SAS Nagar Mohali along with statements of the parties have 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 Nos.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 aforesated 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 vide DDR No.48 dated 01.12.2018 under Sections 323, 324, 341 IPC to which Section 201 IPC was added later on at Police Station Sohana, District SAS Nagar (Mohali) in FIR No.298 dated 21.11.2018 under Sections 341, 323, 294, 506 IPC at Police Station Sohana, District SAS Nagar, on the basis of compromise with all the subsequent proceedings are hereby quashed qua the petitioner.

01.12.2022
P. Chawla

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No