

271+128 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-39308-2021 (O&M)  
Date of Decision:-16.09.2022

LOVEPREET SINGH ALIAS BABA AND OTHERS ... Petitioners

Versus

STATE OF PUNJAB AND OTHERS ...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

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Present:- Mr. Ankit Kharbanda, Advocate for the petitioners.

Mr. Jaspal Singh Guru, AAG, Punjab.

Mr. Raghav Soni, Advocate  
for respondent Nos. 2 and 3.

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KARAMJIT SINGH, J. (Oral)

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CRM-34895-2022

This is an application filed by the applicants/petitioners to  
amend the head note and prayer clause.

Notice in the application.

On asking of the Court, Mr. Jaspal Singh Guru, AAG, Punjab  
accepts notice on behalf of respondent-State. He states that he has no  
objection if the amendment is carried out in the head note and prayer clause  
of the present petition.

Amended head note and prayer clause are taken on record.

**Main Case**

Present petition is for quashing of FIR No.0040 dated 25.03.2021 registered under Sections 325, 323 and 34 of IPC at Police Station Sultanwind, District Amritsar, on the basis of compromise dated 23.08.2021 (Annexure P-2) along with other consequential proceedings arising thereto.

On notice of motion, respondents No.2 and 3 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 1<sup>st</sup> Class, Amritsar, along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine, voluntary and without any coercion or undue influence.

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.

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.0040 dated 25.03.2021 registered under Sections 325, 323 and 34 of IPC at Police Station Sultanwind, District Amritsar, on the basis of compromise dated 23.08.2021 (Annexure P-2) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

16.09.2022  
Sonia

( KARAMJIT SINGH)  
JUDGE

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