

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

CRM-M-34918-2020 (O&M)
Date of decision: 13.5.2022

Kaisar Ahmad

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. S.K.Chaudhary, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. S.K.Arya, Advocate,
for respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.103 dated 20.9.2019 registered under Sections 279, 337, 338 IPC at Police Station Sujanpur, District Pathankot on the basis of compromise dated 6.3.2020 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Sudesh Kumar in which he stated that on 20.9.2019, he and respondent No.3, his brother were going from Chandigarh to their village and on the way, they got down from the bus in the area of Sujanpur and in the meantime, truck No.JK09-B-5431 which was driven by the petitioner in rash and negligent manner struck against respondent No.3, as a result of which, he sustained injuries.

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, 1st Class, Pathankot 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 petitioners and for respondents No.2 and 3 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 aforesaid 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)

20.9.2019 registered under Sections 279, 337, 338 IPC at Police Station
Sujanpur, District Pathankot and all the subsequent proceedings are hereby
quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

May 13, 2022

Paritosh Kumar

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