

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

CRM-M-31876-2019(O&M)
Date of Decision:-**02.06.2022**

GURPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Naresh Kumar, Advocate for
Mr. Krishan Singh Dadwal, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Akhil Dadwal, Advocate for
Ms. Palak Rana, Advocate
for respondent Nos.2 & 3.

KARAMJIT SINGH, J. (Oral)

CRM-20735-2022

Instant application has been filed by the applicant/petitioner for
preponment of the main case.

Notice of the application.

On the asking of the Court, Ms. Samina Dhir, DAG, accepts notice on behalf of non-applicant/State of Punjab and Mr. Akhil Dadwal, Advocate for Ms. Palak Rana, Advocate for non-applicants/respondent Nos.2 & 3, both of them pleaded their no objection if the main case is preponed.

In view of the above, the application is allowed and the main case is preponed and ordered to be taken on board today itself.

CRM-33511-2021

Allowed as prayed for and birth certificate of respondents No.2 & 3 in compliance of order dated 12.2.2020 is taken on record subject to all just exceptions.

CRM-M-31876-2019

Present petition is for quashing of FIR No.47 dated 25.4.2019 registered under Sections 279, 337, 338, 427 IPC at Police Station Hariana District Hoshiarpur on the basis of compromise dated 21.5.2019 (Annexure P-2) along with other consequential proceedings arising thereto.

FIR in this case was registered on the basis of the statement of respondent No.2 against the present petitioner.

On notice of motion, respondents No.2 & 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 Ist Class, Hoshiarpur 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 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.47 dated

25.4.2019 registered under Sections 279, 337, 338, 427 IPC at Police Station
Haryana District Hoshiarpur on the basis of compromise dated 21.5.2019
(Annexure P-2) and all the subsequent proceedings thereof are hereby
quashed qua the petitioners.

02.06.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No