

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

**CRM-M-41099-2020**

Date of Decision:-**27.09.2022**

**SUKHWINDER SINGH AND ORS**

... Petitioners

Versus

**STATE OF PUNJAB AND ANOTHER**

... Respondents

-.-

**CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH**

-.-

Present:- Mr. Davinder Singh, Advocate for the petitioners.

Mr. Jaspal Singh Guru, AAG, Punjab.

Mr. Rishab, Advocate for respondents No.2 and 3.

-.-

**KARAMJIT SINGH, J.** (Oral)

Present petition is for quashing of FIR No.130 dated 11.8.2017 registered under Sections 364-A, 365, 323, 341, 342, 506, 34 IPC at Police Station Sarabha Nagar, District Police Commissionerate Ludhiana and order dated 10.6.2019 (Annexure P-4) passed by Chief Judicial Magistrate, Ludhiana on the basis of compromise dated 24.6.2020 (Annexure P-5) along with other consequential proceedings arising thereto.

The abovesaid FIR was registered on the application moved by the complainant/respondent No.2-Rajinder Kaur against the petitioners.

On notice of motion, respondents No.2 appeared in the Court through counsel and pleaded that she has no objection if the aforesaid FIR and order dated 10.6.2019 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 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 Chief Judicial Magistrate, Ludhiana 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. Further as the matter has been compromised, the continuation of the proceedings would amount to abuse of the process of the Court.

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.130 dated 11.8.2017 registered under Sections 364-A, 365, 323, 341, 342, 506, 34 IPC at Police Station Sarabha Nagar, District Police Commissionerate Ludhiana and all the subsequent proceedings thereof are hereby quashed qua the petitioners along with order dated 10.6.2019 (Annexure P-4) passed by Chief Judicial Magistrate, Ludhiana.

The present petition stands allowed in the aforesaid terms.

( **KARAMJIT SINGH** )  
**JUDGE**

**27.09.2022**  
Gaurav Sorot

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