

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

CRM-M-46096-2021
Date of Decision:-24.2.2022

GURMINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Arjunvir Sharma, Advocate
for the petitioner.

Mr. A.K. Kaundal, DAG, Punjab.

Mr. Naveen Sharma, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

Present petition is for quashing of FIR No.331 dated 28.9.2018
registered under Sections 323, 341, 447, 511, 34 IPC at Police Station
Sahnewal, District Police Commissionerate Ludhiana, District Ludhiana on
the basis of compromise dated 12.2.2021 (Annexure P-2) along with other
consequential proceedings arising thereto.

The above stated FIR was registered on the statement of the complainant/respondent No.2-Bhag Singh, in which he alleged that on 26.9.2018 he was going on his motorcycle and in the meantime petitioner-Gurminder Singh rammed his motorcycle into the motorcycle of respondent No.2 as a result of which he fell down and then petitioner-Gurminder Singh and his brother Taranjit Singh (since deceased) started beating him and then they fled away from there.

On notice of motion, respondents No.2 appeared in the Court through his counsel and pleaded that he has 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/Duty 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 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.

Today the copy of death certificate of Taranjit Singh has been placed on record.

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.331 dated 28.9.2018 registered under Sections 323, 341, 447, 511, 34 IPC at Police Station Sahnewal, District Police Commissionerate Ludhiana, District Ludhiana on the basis of compromise dated 12.2.2021 (Annexure P-2) and all the subsequent proceedings thereof are hereby quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

24.2.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No