

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

CRM-M-47158-2021
Date of Decision:-24.2.2022

BHAG SINGH AND ORS

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. N.S. Dadwal, Advocate
for the petitioner.

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

Mr. Saurabh Kapoor, 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 G.D. No.25 dated 21.10.2018
under Sections 379, 427, 148, 149 IPC at Police Station Sahnewal, Police
Commissionerate Ludhiana District Ludhiana in 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-3) along with other consequential proceedings arising thereto.

The above stated G.D. No.25 dated 21.10.2018 was registered on the statement of the complainant/respondent No.2-Hardeep Singh, in which he alleged that on 17.10.2018 the petitioners and 4-5 unidentified persons demolished wall of the property belonging to his relative Gurminder Singh, with the help of JCB and tractor and also took away bricks which were lying at the spot.

On notice of motion, respondents No.2 appeared in the Court through his counsel and pleaded that he has no objection if G.D. No.25 dated 21.10.2018 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

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 G.D. No.25 dated 21.10.2018 under Sections 379, 427, 148, 149 IPC at Police Station Sahnewal, Police Commissionerate Ludhiana District Ludhiana in 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-3) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

(KARAMJIT SINGH)
JUDGE

24.2.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No