

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

**CRM-M No.50723 of 2021
Date of Decision: 22.02.2022**

Resham Singh and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

(Heard through Video-Conferencing)

CORAM: *HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA*

Present:- Mr. Jasdeep S. Bhullar, Advocate
for the petitioners.

Ms. Samina Dhir, D.A.G, Punjab
for respondent No.1-State.

Mr. Akash Manocha, Advocate
for respondent No.2-complainant.

MEENAKSHI I. MEHTA, J.

By way of the instant petition, the petitioners have invoked the jurisdiction of this Court under Section 482 Cr.P.C. for seeking the quashing of the FIR bearing No.126 dated 27.10.2021 registered at Police Station Maur, District Bathinda, under Sections 455, 380, 448, 149, 148, 427, 506 IPC as well as all the subsequent proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute culminating in the registration of the said FIR.

Shorn and short of unnecessary details, the allegations, as levelled by complainant Karam Singh in the subject FIR, are that the petitioners trespassed into their 'Nohra' (place to reside and for storage) after demolishing its wall and damaged the articles lying there and they also took away their cattle tethered there as well as the grains and shuttering articles stored therein.

Vide the order dated 03.12.2021 passed by the Co-Ordinate Bench, the parties had been directed to appear before the Illaqa Magistrate/trial Court on 22.12.2021 for recording their statements in respect of the compromise. In compliance of the said order, learned Sub-Divisional Judicial Magistrate, Talwandi Sabo, recorded their (parties') statements and has submitted the report (which is already available on the file) wherein he has reported that the compromise effected between the parties is genuine, voluntary and without any pressure, coercion or undue influence and as per the statement made by the investigating officer, 07 accused, i.e the petitioners, are involved in the FIR and none of them has been declared proclaimed offender.

I have heard learned counsel for the petitioner as well as learned State counsel and learned counsel for respondent No.2-complainant in the present petition and have also perused the file thoroughly.

The said compromise has been effected to put the dispute between the parties at rest for all the times to come and the same would promote peaceful, harmonious and cordial relations between them. It being so, there are bleak chances of the conviction of the petitioners and

in these circumstances, the continuation of the proceedings in the case arising out of the said FIR would be an exercise in futility.

Keeping in view the above-discussed facts and circumstances as well as the observations as made by the Apex Court in ***Gian Singh Versus State of Punjab and another (2012) 4 RCR (Criminal) 543***, the FIR bearing No.126 dated 27.10.2021 registered at Police Station Maur, District Bathinda, under Sections 455, 380, 448, 149, 148, 427, 506 IPC as well as the subsequent proceedings arising therefrom (if any) are hereby quashed.

The petition in hand stands allowed accordingly.

February 22, 2022
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*