

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

CRM-M-51827-2021
Date of Decision:-23.3.2022

Gurcharan Singh & Ors.

... Petitioners

Versus

State of Punjab & Anr.

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. L.S. Sidhu, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Mr. S.S. Gopera, 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.115 dated 26.07.2014
(Annexure P-1), registered under Sections 323, 324 read with Section 34
IPC at Police Station Raman, District Bathinda on the basis of compromise
dated 04.08.2014 (Annexure P-3) along with other consequential
proceedings arising thereto.

The above stated FIR was registered on the statement of the complainant/respondent No.2 Baldev Singh in which he alleged that on 25.07.2014 an altercation took place on the issue of irrigating the fields and the petitioners inflicted injuries upon him.

On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has 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 Sub Divisional Judicial Magistrate, Talwandi Sabo 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 aforesaid 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.115 dated 26.07.2014 (Annexure P-1), registered under Sections 323, 324 read with Section 34 IPC at Police Station Raman, District Bathinda on the basis of compromise dated 04.08.2014 (Annexure P-3) and all the subsequent proceedings thereof are hereby quashed qua the petitioner.

Needless to mention that both the parties will abide by the terms and conditions of the compromise Annexure P-3 in letter and spirit.

23.03.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No