

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

THROUGH VIDEO CONFERENCING

CRM-M-52395-2021 (O&M)

Date of decision: 9.3.2022

Lakhvir

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Jagjit Singh Thablan, Advocate, for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

Mr. Jimmy Singla, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.282 dated 9.11.2021 registered under Sections 279, 336, 338 IPC at Police Station Mullana, District Ambala on the basis of compromise (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Ram Kumar in which he stated that on 6.11.2021, he was going to his home on motorcycle bearing No.HR04-B-5079 and when he reached in front of Sirsagarh school, one Innova car bearing registration No.PB08-BB-9091 which was driven in rash and negligent manner came from the side of Mullana and hit his motorcycle, as a result of which, he sustained injuries.

On notice of motion, respondent 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/Illaqa 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 Additional Chief Judicial Magistrate, Ambala 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 petitioners and for respondent No.2 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.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

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.282 dated 9.11.2021 registered under Sections 279, 336, 338 IPC at Police Station

quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

March 9, 2022

Paritosh Kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No