

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

CRM-M-52347-2021
Date of Decision:-2.3.2022

SURJIT SINGH @ SURJIT KHAN AND ORS.

... Petitioners

Versus

STATE OF PUNJAB AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ghulam Nabi Malik, Advocate
for the petitioners.

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

Mr. Rakesh Kumar Kachura, Advocate
for the respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of G.D. No.29 dated 29.3.2021 for offences under Sections 452, 307, 323, 506, 427, 148, 149 IPC at Police Station Sadar Sangrur, District Sangrur in FIR No.38 dated 29.3.2021 (Annexure P-2) on the basis of compromise dated 26.10.2021 (Annexure P-3) along with other consequential proceedings arising thereto.

The above stated G.D. No.29 dated 29.3.2021 was registered on the statement of the complainant/respondent No.2-Jatinder Singh, in which

he alleged that on 28.3.2021, the petitioners attacked and caused injuries to him and his wife Kulbir Kaur (respondent No.3) and the accused persons also caused damaged to his motorcycle No.PB-13-AX-9024.

On notice of motion, respondents No.2 & 3 appeared in the Court through their counsel and pleaded that they have 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, Sangrur 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.

There is also FIR No. 38 dated 29.3.2021 registered against the respondents No.2 & 3 and other persons as per which they caused injuries to

the present petitioners. The parties have also effected compromise in the said FIR.

I am of the view that the aforesaid compromise, which has been effected between the parties is in their interest and welfare and will enable them 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.29 dated 29.3.2021 for offences under Section 452, 307, 323, 506, 427, 148, 149 IPC at Police Station Sadar Sangrur, District Sangrur in FIR No.38 dated 29.3.2021 (Annexure P-2) on the basis of compromise dated 26.10.2021 (Annexure P-3) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

(KARAMJIT SINGH)
JUDGE

2.3.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No