

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

CRM-M-52342-2021
Date of Decision:-2.3.2022

JATINDER SINGH AND ANR.

... Petitioners

Versus

STATE OF PUNJAB AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Rakesh Kumar Kachura, Advocate
for the petitioners.

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

Mr. Ghulam Nabi Malik, Advocate
for the respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

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

The above stated FIR was registered on the statement of the complainant/respondent No.2-Surjina in which she alleged that on 28.3.2021

at about 4 p.m. she and respondent No.3 (her husband), were attacked by petitioners and their companions and all the accused persons caused injuries to respondents No.2 and 3.

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/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 Additional Sessions Judge, 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 cross-version, as per which, respondents No.2 & 3 and their companions caused injuries to both the petitioners regarding which

GD No.29 dated 29.3.2021 was recorded. The parties have also effected compromise in the said cross-version case.

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 FIR No.38 dated 29.3.2021 registered under Sections 307, 323, 506, 148, 149 IPC at Police Station Sadar Sangrur, District Sangrur on the basis of compromise dated 26.10.2021 (Annexure P-2) 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