

CRM-M-53814-2021 (O&M)

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

**CRM-M-53814-2021 (O&M).
Decided on: May 10, 2022.**

Rohit Kumar and others

.. Petitioners

VERSUS

State of Punjab and another

.. Respondents

*** * ***

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH
*** * ***

**PRESENT Mr.Dixit Garg, Advocate,
for the petitioner.**

Ms.Jaspreet Kaur, AAG, Punjab.

**Ms.Mandeep Kaur, Advocate,
for respondent No.2.**

KARAMJIT SINGH, J. (ORAL)

Present petition is for quashing of FIR No.153 dated 16.6.2018 registered under Sections 452, 323, 427, 148 and 506 IPC, at Police Station Gate Hakima, District Police Commissionerate, Amritsar, (Annexure P-1) on the basis of compromise dated 13.12.2021 (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 Harjinder Kaur Rani in which she alleged

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that at the time of occurrence, the petitioners trespassed into her house and ransacked it.

On notice of motion, respondents No.2 appeared in the Court through her counsel and pleaded that she 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/Illaq Magistrate was directed to record the statements of all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Ms.Sukhpreet Kaur, Judicial Magistrate First Class, Amritsar, 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

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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 aforesated and having regard to the law laid down by the 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.153 dated 16.6.2018 registered under Sections 452, 323, 427, 148 and 506 IPC, at Police Station Gate Hakima, District Police Commissionerate, Amritsar, (Annexure P-1) on the basis of compromise dated 13.12.2021 (Annexure P-2) along with other consequential proceedings arising thereto are hereby quashed qua the petitioner.

**May 10, 2022.
jiten**

**(KARAMJIT SINGH)
JUDGE**

Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No