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

**CRM-M-4589-2023 (O&M)
Date of Decision: 14.03.2023**

UJALA SONIA

....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Anmol Puri, Advocate
for the petitioner.

Mr. Harjinder S. Sidhu, AAG, Punjab for
respondent No.1/State.

Mr. Deepinder Singh Walia, Advocate for
Mr. Edward Augustine George, Advocate
for respondent No.2.

HARSH BUNGER, J. (Oral)

This petition has been filed under Section 482 Cr.P.C for quashing of FIR No.101 dated 30.06.2022, under Section 380 read with Section 34 of Indian Penal Code registered at Police Station Majitha, District Amritsar (Annexure P-1) and all the consequent proceedings arising therefrom, on the basis of compromise dated 03.08.2022 (Annexure P-2) arrived at between the parties.

Vide order dated 30.01.2023, the Illaqa Magistrate/trial Court was directed to record the statements of the parties with regard to the genuineness and validity of the compromise.

In compliance thereof, the Judicial Magistrate First Class, Amritsar has submitted its report, vide letter dated 02.03.2023 which indicates that the parties appeared before the Magistrate and got recorded

their respective statements with regard to the validity of the compromise. As per the report, the compromise arrived at between the parties is genuine and without any pressure or coercion from any corner. Relevant extract of the said report is reproduced as under:-

“I have the honour to submit that in compliance of order dated 30.01.2023, passed by Hon'ble High Court in CRM-M-4589 of 2023, statement of complainant Hardeep Singh has been recorded. As per his statement, he has compromised the matter with the accused namely Ujala Sonia, out of his free will, consent and without any pressure, threat, coercion or undue influence. Accused Ujala Sonia has also got recorded her statement and as per her statement, she has compromised the matter with complainant Hardeep Singh, out of her free will, consent and without any pressure, threat, coercion or undue influence.

I am satisfied that compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence. It is further submitted that as per the statement of investigating officer SI Jang Bahadur Singh No.626/ASR(Rural), Police Station Majitha, Amritsar, he is the investigating officer of the present case. There is only one accused involved in the present case namely Ujala Sonia. Accused has never been declared proclaimed offender in the present case. Accused is not involved in any other case, except the present case. There is only one complainant in the present case FIR namely Hardeep Singh son of Harmohinder Singh. At present, case is under investigation.”

A perusal of the said report would show that statements of all the concerned persons have been recorded in the case, who have stated that the matter has been compromised and they have no objection in case the FIR in question is quashed. They have further stated that the said compromise was entered into voluntarily and without any pressure.

Learned State counsel does not raise any serious dispute regarding quashing of aforesaid FIR in question.

Learned counsel for respondent No.2 has again reiterated that the matter has been settled and the said compromise is in the interest of all the persons and would help in bringing out peace and amity between the parties.

I have heard the learned counsel for the parties and have perused the file.

In the light of the judgments rendered by the Hon'ble Apex Court in the cases of *Shakuntala Sawhney Vs. Kaushalya Sawhney, (1979) 3 SCR 639* and *Gian Singh Versus State of Punjab and another. 2012(4) RCR (Criminal) 543* and considering the entire facts, compromise, the statements of the parties recorded before the Illaqa Magistrate / Trial Court and also the report dated 02.03.2023 submitted by Judicial Magistrate First Class, Amritsar since the parties have arrived at a compromise by amicably settling their disputes and have decided to live in peace, no useful purpose will be served in allowing the criminal proceedings to continue.

Further, in the light of the above mentioned judicial precedents, when the parties have entered into a compromise, then continuation of the proceedings would be mere an abuse of process of the Court.

In order to prevent unnecessary continuation of criminal proceedings on the ground that there are bleak chances of conviction in the case, I am of the considered view that it would be in fitness of things to quash the proceedings on the basis of compromise and by quashing the FIR while accepting the prayer of the petitioners, would be securing the ends of justice.

Accordingly, this petition is allowed. FIR No.101 dated 30.06.2022, under Section 380 read with Section 34 of Indian Penal Code

registered at Police Station Majitha, District Amritsar (Annexure P-1) and all the consequent proceedings arising therefrom, are quashed qua the petitioner. However, the same would be subject to payment of costs of Rs.10,000/- to be deposited by the petitioner with the **“Poor Patients' Welfare Fund, PGIMER, Chandigarh”** and the said amount would be spent for the treatment of poor patients within the knowledge of its Medical Superintendent.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

Disposed of in the aforesaid terms.

All pending application(s), if any, shall stand disposed of.

14.03.2023
Amandeep

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No