

2023:PHHC:073598

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

Sr. No. 295

CRM-M-15753-2021

Date of Decision:-19.05.2023

MALKEET SINGH AND ANOTHER
Versus

... Petitioners

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Ms. Manpreet Kaur, Advocate
for the petitioners.

Mr. Sanish Girdhar, DAG, Punjab
for respondent No.1.

Mr. Arpinder Singh Sidhu, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (ORAL)

1. Present petition is for quashing of FIR No.175 dated 19.07.2020, registered under Sections 323, 324, 34, 201 of IPC and Section 295-A added lateron, Police Station Lehra, District Sangrur on the basis of compromise (Annexure P-2) along with other consequential proceedings arising thereto.
2. The abovesaid FIR was registered on the statement of complainant/respondent No.2 against the petitioner.
3. On notice of motion, respondent No.2 appeared in the Court through his/their counsel and pleaded that he/they has/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.
4. 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.

5. In compliance thereof, report from the Court of Judicial Magistrate Ist Class, Moonak along with statements of the parties (except petitioner No.2) has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.
6. Today petitioner No.2 who is serving in Indian Army appeared in person and made statement admitting factum of compromise.
7. I have heard learned counsel for the parties.
8. 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.
9. I am of the view that the aforesaid compromise is in the 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. Further as the matter has been compromised, the continuation of the proceedings would amount to abuse of the process of the Court.

10. For the reasons aforesaid 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.175 dated 19.07.2020, registered under Sections 323, 324, 34, 201 of IPC and Section 295-A added lateron, Police Station Lehra, District Sangrur on the basis of compromise (Annexure P-2) along with other consequential proceedings thereof are hereby quashed qua the petitioner.

19.05.2023
yogesh

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No