IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-11208-2020
Date of Decision:-**30.01.2023**

HARJIT SINGH AND ORS

… Petitioners

Versus

STATE OF PUNJAB AND ORS

... Respondents

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Sushil Saini, Advocate
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Mohit, Advocate
for respondents No.2 to 8.

-.-

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of DDR No.6 dated 26.6.2016 registered under Sections 324, 323, 148, 149 IPC at Police Station Qila Lal Singh District Batala in FIR No.39 dated 25.6.2016 registered under Sections 323, 324, 148, 149 IPC at Police Station Qila Lal Singh District Batala on the basis of compromise (Annexure P-3) along with other consequential proceedings arising thereto.

The abovesaid DDR was registered on the statement of complainant/respondent No.2-Ajit Singh against the petitioners.

JYOTI THAKUR
2023.01.31 11:55
I attest to the accuracy and
authenticity of this document
PHHC, CHD

On notice of motion, respondent Nos.2 to 8 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 Judicial Magistrate Ist Class, Batala 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 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.

JYOTI THAKUR
2023.01.31 11:55
I attest to the accuracy and
authenticity of this document
PHHC, CHD

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 DDR No.6 dated 26.6.2016 registered under Sections 324, 323, 148, 149 IPC at Police Station Qila Lal Singh District Batala in FIR No.39 dated 25.6.2016 registered under Sections 323, 324, 148, 149 IPC at Police Station Qila Lal Singh District Batala on the basis of compromise (Annexure P-3) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

(KARAMJIT SINGH)
JUDGE

30.01.2023
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No

JYOTI THAKUR
2023.01.31 11:55
I attest to the accuracy and
authenticity of this document
PHHC, CHD