

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

(120+279)

CRM-9969-2023 in/and
CRM-M-39514-2022
Date of Decision:-02.03.2023

Vikramjeet Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Gourav Goel, Advocate for the petitioners.

Mr. Arun Gupta, AAG, Punjab.

Mr. Nand Lal Sammi, Advocate and
Mr. Hitesh Kumar Sammi, Advocate for respondent No.2.

ALOK JAIN, J. (Oral)
CRM-9969-2023

This is an application seeking permission to add Sections 312, 406 read with Section 313 IPC in the head-note as well as prayer clause and to place on record the correct head-note.

Application is allowed as prayed for subject to just exceptions.

The connected head-note and prayer clause are taken on record.

CRM-M-39514-2022

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.03 dated 12.02.2019, registered under Sections 323, 498-A, 506 and 120-B IPC of Indian Penal Code (Section 312, 406 read with Section 313 of IPC added later on), at Police Station NRI Mohali, District SAS Nagar (Mohali) (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise dated 02.08.2022 (Annexure P-2).

Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 01.09.2022 directed the parties to appear before the

Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 17.11.2022 has been received from the Additional District & Sessions Judge, SAS Nagar (Mohali) stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

Learned State counsel and learned counsel appearing on behalf of respondent No.2-complainant admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal prosecution in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases ***Gian Singh v. State of Punjab and another*** 2012(10) SCC 303 and ***Narinder Singh and others v. State of Punjab and another*** 2014(6) SCC 406, that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

Consequently, this petition is allowed. FIR No.03 dated 12.02.2019, registered under Sections FIR No.03 dated 12.02.2019, registered under Sections 323, 498-A, 506 and 120-B IPC of Indian Penal Code (Section 312, 406 read with Section 313 of IPC added later on), at Police Station NRI Mohali, District SAS Nagar (Mohali) (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners, subject to payment of cost of ₹ 10,000/- each to be deposited by the petitioners as well as respondent No.2, within one month from today in the following account:-

**“Account Name – Punjab and Haryana High Court Bar.
Association Lawyer’s Family Welfare Fund.
Account No. - 41564846387.
Bank Name – SBI High Court Branch.”**

**(ALOK JAIN)
JUDGE**

02.03.2023

Anjal

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No