

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-41677-2022

Date of Decision: 08.08.2023

Salim @ Seema Halwai and others

....Petitioners

V/s

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Abdul Aziz, Advocate, for the petitioners.
Mr. Digvijay Nagpal, AAG, Punjab.
Mr. Pradeep Singh Toor, Advocate for
Mr. Supneet Singh, Advocate, for respondent No.2

FIR No.	Dated	Police Station	Section/s
51	14.05.2019	City-II, Malerkotla, Sangrur (now District Malerkotla)	341, 323, 506 & 34 IPC (Section 201 IPC added later on)

VIKAS SURI, J. (Oral)

1. Prayer in the instant petition preferred under Section 482 Cr.P.C is for quashing of the above captioned FIR and other consequential proceedings emanating therefrom, on the basis of a compromise dated 14.03.2022 (Annexure P-2), stated to have been arrived at between the private parties.
2. Vide order dated 12.09.2022, private parties were directed to appear before the trial Court to get their statement recorded in terms of the compromise and a report in that regard was sought from the concerned

3. Pursuant to the aforesaid order, report dated 03.11.2022 of the learned Judicial Magistrate 1st Class, Malerkotla, has been received, wherein it is concluded that the compromise between the parties has been effected voluntarily and without any coercion or undue influence.

4. That being so, looking at the nature of the offence alleged to have been committed by the petitioners, in the opinion of this Court, no useful purpose would be served by continuing with criminal proceedings, the parties having compromised the matter out of their own free will.

5. Considering the above, together with the fact that compromise would go a long way in ironing out differences for betterment of future life of the parties that would ensure peace and harmony in the community and in light of the ratio of the law laid down by the Apex Court in ***Gian Singh vs. State of Punjab and others, (2012) 10 SCC 303***, the prayer made in the present petition is allowed.

6. Accordingly, proceedings by way of case FIR No.51, dated 14.05.2019, under Sections 341, 323, 506 & 34 IPC (Section 201 IPC added later on) registered at Police Station City-II, Malerkotla, Sangrur (now District Malerkotla) and all consequential proceedings emanating therefrom, are quashed.

7. The petition stands allowed in those terms.

August 08, 2023

Harish

(VIKAS SURI)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No