

CRM-M-45871-2023

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

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CRM-M-45871-2023

Date of Decision:-**December 11, 2023**

Lal Dass and others

.....Petitioners

Versus

State of Punjab and Another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. T.P. Singh, Advocate for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

Ms. Arshdeep Kaur, Advocate for respondent No. 2.

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 144 dated 25.11.2015, registered under **Sections 341, 323 and 34** of Indian Penal Code, 1860 (**Sections 325 & 201** IPC added later on) at Police Station Bhawanigarh, District Sangrur (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

2. Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 14.09.2023 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 13.10.2023 has been received from the Judicial Magistrate 1st Class, Sangrur, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

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3. Learned State Counsel and learned counsel for respondent No. 2 admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

4. 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.

5. Consequently, this petition is allowed. FIR No. 144 dated 25.11.2015, registered under Sections 341, 323 and 34 of Indian Penal Code, 1860 (Sections 325 & 201 IPC added later on) at Police Station Bhawanigarh, District Sangrur (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed qua the petitioners, subject to payment of cost of Rs. 5,000/- to be deposited by the petitioners jointly and Rs. 5,000/- to be deposited by respondent No.2 within one month from today in the following account:-

Account Name – Punjab and Haryana High Court

Bar Clerks Association Chandigarh.

Account No. – 65004775776

IFSC Code - SBIN0050306

Bank Name – SBI High Court Branch.

(ALOK JAIN)
JUDGE

December 11, 2023

Parul

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No