

CRM-M-493-2024
Date of decision:18.03.2024

VIKAS @ SUNNY AND OTHERS
...Petitioner(s)
VERSUS
STATE OF PUNJAB AND ANOTHER
...Respondent(s)

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Deep Kanwal Singh, Advocate, for the petitioners.
Mr. Baljinder Singh, DAG, Punjab.
Ms. Nancy, Advocate for
Mr. Abhimanyu Vinayak, Advocate for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Counsel for the petitioner made prayer that he be permitted to withdraw the present petition on behalf of petitioner No.1. Dismissed as withdrawn at this stage.

2. Prayer in this petition is for quashing of FIR No.46 dated 05.03.2022 registered under Sections 324, 323, 148 and 149 of IPC at Police Station Shahkot, District Jalandhar (Rural) on the basis of compromise dated 18.12.2023 (Annexure P-2).

3. The above stated FIR was registered on the statement of the complainant/respondent No.2- Harjinder Singh against the petitioners.

4. On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

5. 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.

6. In compliance thereof, report from the Court of Judicial Magistrate Ist Class, Nakodar 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.

7. I have heard learned counsel for the parties.

8. Learned counsel for the petitioner(s) No.2 to 5 and for respondent No.2 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. In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

10. 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 qua petitioners No.2 to 5 and FIR No.46 dated 05.03.2022 registered under Sections 324, 323, 148 and 149 of IPC at Police Station Shahkot, District Jalandhar (Rural) and all the consequential proceedings are hereby quashed qua petitioners No.2 to 5.