

CRM-M-3733-2024

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

(282)

CRM-M-3733-2024

Date of Decision:-**March 20, 2024**

Swaranjeet Kaur and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Neha Shukla, Advocate for the petitioners.

Mr. R.S. Bhatta, DAG, Punjab.

Mr. Punjeet Sharma, Advocate
for respondents No. 2 & 3.

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of **FIR No. 194 dated 29.06.2019**, under **Sections 353, 186, 323, 341, 355, 34** of Indian Penal Code, (later on Sections 353 and 186 of IPC was dropped by the learned trial Court and Sections 325, 295 and 201 IPC was added vide order dated 11.03.2022) registered at Police Station Sohana, District SAS Nagar (Mohali) (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise dated 15.01.2024 (Annexure P-2).

2. Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 25.01.2024 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 14.02.2024 has been received from the Judicial Magistrate 1st Class, SAS Nagar, 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 respondents No. 2 & 3 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 proceedings 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. 194 dated 29.06.2019**, under **Sections 353, 186, 323, 341, 355, 34** of Indian Penal Code, (later on Sections 353 and 186 of IPC was dropped by the learned trial Court and Sections 325, 295 and 201 IPC was added vide order dated 11.03.2022) registered at Police Station Sohana, 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 Rs. 25,000/- to be deposited by the petitioners jointly and Rs. 10,000/- to be deposited by respondents No.2 & 3 jointly within one month from today in ***Poor Patients Welfare Fund, PGIMER, Chandigarh.***

(ALOK JAIN)
JUDGE

March 20, 2024

Parul

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