

CRM-M-9529-2024

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

(288)

CRM-M-9529-2024

Date of Decision:-**March 21, 2024**

Prabhjit Singh @ Shally

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Umesh Aggarwal, Advocate for the petitioner.

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

Ms. Aayushi Jindal, Advocate for

Mr. Prateek Sodhi, Advocate for respondent No. 2.

ALOK JAIN, J. (Oral)

1. The present petition has been filed seeking quashing of **FIR No.0173** dated **14.09.2022** under **Section 379** of the Indian Penal Code, 1860, and **Section 201** IPC added later on and **Sections 25, 54 and 59** of the Arms Act, registered at Police Station Ranjit Avenue, District Amritsar (Annexure P-1), and all other subsequent proceedings arising therefrom on the basis of the compromise dated 01.02.2024 (Annexure P-2)

2. Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 22.02.2024 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 19.03.2024 has been received from the Chief Judicial Magistrate, Amritsar, 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 appearing on behalf of 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 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.0173 dated 14.09.2022** under **Section 379** of the Indian Penal Code, 1860, and **Section 201** IPC added later on and **Sections 25, 54 and 59** of the Arms Act, registered at Police Station Ranjit Avenue, District Amritsar (Annexure P-1), and all other subsequent proceedings arising therefrom, are hereby quashed *qua* the petitioner, subject to payment of cost of Rs. 20,000/- to be deposited by the petitioner as well as respondent No. 2 jointly within one month from today in ***Poor Patients Welfare Fund, PGIMER, Chandigarh.***

(ALOK JAIN)
JUDGE

March 21, 2024

Parul

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