



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

**CRM-M-14909-2017
Date of decision:29.05.2024**

HARDEV KAUR AND ANOTHER

...Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Gurcharan Singh Bains, Advocate for the petitioners.

Mr. Inderjeet Singh, DAG, Punjab.

Mr. Ramandeep, Advocate for respondents No.2 to 4.

KARAMJIT SINGH, J. (Oral)

1. Prayer in this petition is for quashing of Kalandra dated 01.06.2015 registered under Sections 182, 211 of IPC by way of Criminal Complaint bearing No.CRM-62-2015 titled as “State Vs. Hardev Kaur” at the instance of respondent Nos.2 to 4 pending in the Court of JMIC, Samana, on the basis of compromise.

2. The above stated Kalandra was registered on the statement of the respondent No.2-Sohan Singh @ Sony against the petitioners. From the statement of SHO Jagir Singh, it is evident that Hardev Kaur has died.

3. On notice of motion, respondents No.2 to 4 appeared in the Court through their counsel and pleaded that they have no objection if the Kalandra in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.



4. During the course of preliminary hearing, the trial Court/Illaq 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.

5. In compliance thereof, report from the Court of Judicial Magistrate First Class, Samana 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.

6. I have heard learned counsel for the parties.

7. Learned counsel for the petitioners and for respondents No.2 to 4 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.

8. 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.

9. 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 and Kalandra dated 01.06.2015 registered under Sections 182, 211 of IPC having

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:3:



Criminal Complaint bearing No.CRM-62-2015 titled as “State Vs. Hardev Kaur” at the instance of respondent Nos.2 to 4 pending in the Court of JMIC, Samana and all the subsequent proceedings are hereby quashed qua the petitioners.

(KARAMJIT SINGH)
JUDGE

29.05.2024
Priyanka Thakur

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