



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

CRM-M-14015-2024
Date of decision:22.05.2024

RAVINDER SINGH

...Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Parminder Walia, Advocate for the petitioner.

Mr. Inderjeet Singh, DAG, Punjab.

Mr. Manoj Sharma, Advocate for
Mr. Gagan Bajaj, Advocate for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No. 0017 dated 20.03.2017 registered under Sections 279, 337, 427 of Indian Penal Code, 1860 at Police Station Bakshiwala, District Patiala (Annexure P-1) alongwith subsequent proceedings including judgment and order dated 30.07.2022 passed by the Court of Judicial Magistrate, 1st Class Nabha, on the basis of compromise dated 11.01.2024 (Annexure P-4).

2. The above stated FIR was registered on the statement of respondent No.2-Sukhdev Singh. As per the allegations in the FIR, an offending truck driven on wrong side and in a rash or negligent manner by the petitioner struck against scooter of respondent No.2. As a result of which his left leg got fractured and scooter got damaged.

3. On notice of motion, learned counsel for respondent No. 2 appeared in the Court and pleaded that respondent No. 2 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.

4. During the course of preliminary hearing, the trial Court/Illaqa Magistrate was directed to record the statements of the all concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

5. In compliance thereof, report from the Additional Sessions Judge, Patiala 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. On conclusion of trial, petitioner was convicted and sentenced to undergo imprisonment by the trial Court vide judgment and order dated 30.07.2022 (Annexure P-2). The appeal filed against the said judgment and order is pending in the Appellate Court.

8. Learned counsel for the petitioner and 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. A Division Bench of this Court in **Sube Singh and another v. State of Haryana and another**, 2013(4) RCR(Criminal) 102 allowed the compromise quashing petition and quashed the FIR as well as all the subsequent proceedings thereof including judgment and order passed by the Court of Additional Chief Judicial Magistrate whereby the accused



persons were convicted and sentenced to imprisonment and further held that the appeal preferred by the accused persons against the aforesaid judgment and order has been rendered infructuous.

10. Recently the Hon'ble Apex Court in Criminal Appeal No.1393 of 2011 titled as **Ramawatar v. State of Madhya Pradesh** decided on 25.10.2021 quashed all the proceedings including judgment and order of conviction and sentence passed by the trial Court against which the appeal was pending in the High Court, on the basis of the compromise effected between the parties.

11. In the case in hand, the parties have effected compromise. In view of the compromise, respondent No.2 does not want to take any further action against the petitioner. I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner. So no fruitful purpose would be served by keeping the proceedings pending in the Appellate Court.

12. 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 FIR No. 0017 dated 20.03.2017 registered under Sections 279, 337, 427 of Indian Penal Code, 1860 at Police Station Bakshiwala, District Patiala (Annexure P-1) alongwith subsequent proceedings including judgment and order dated

30.07.2022 passed by the Court of Judicial Magistrate, 1st Class Nabha, are quashed.

13. Resultantly, the appeal, if any, preferred by the petitioner against the aforesaid judgment and order dated 30.07.2022 (Annexure P-2) would be rendered infructuous.

22.05.2024

Priyanka Thakur

Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

No
No

(KARAMJIT SINGH)

JUDGE