

CRM-M-19234-2023

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

(295)

CRM-M-19234-2023

Date of Decision:-**January 24, 2024**

Parvesh Jain

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Rajinder Yadav, Advocate for
Mr. Ish Puneet Singh, Advocate for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

Mr. Ravinder Singh Advocate for
Mr. IPS Mangat, Advocate for respondent No. 2.

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of **FIR No. 0102** dated **24.05.2021**, registered under Sections **269, 270, 188** of Indian Penal Code, Section **51 (b), 58 of Disaster Management Act, 2005** and Section **3 of Epidemic Diseases Act, 1987**, registered at **Police Station Khanna City-2, District Khanna, Punjab** (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise dated 18.03.2023 (Annexure P-2).

2. Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 15.12.2023 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 10.01.2024 has been received from the Sub-Divisional Judicial Magistrate, Khanna, stating that the compromise arrived at between the parties is voluntary and the

same is without any pressure, coercion or undue influence.

CRM-M-19234-2023

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 prosecution 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. 0102** dated **24.05.2021**, registered under Sections **269, 270, 188 of Indian Penal Code, Section 51 (b), 58 of Disaster Management Act, 2005** and Section **3 of Epidemic Diseases Act, 1987**, registered at Police Station Khanna City-2, District Khanna, Punjab (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioner, subject to payment of cost of Rs. 10,000/- to be deposited by the petitioner within two weeks from today in *Poor Patients Welfare Fund, PGIMER, Chandigarh*.

(ALOK JAIN)
JUDGE

January 24, 2024
Parul