

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25376-2022 (O&M)
Date of decision: 2.5.2024

Gurpinder Kaur and others
...Petitioner(s)
Versus
State of Punjab and others
...Respondent(s)

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. KBS Mann, Advocate, for the petitioner(s).
Mr. Inderjeet Singh Ladher, DAG, Punjab
Mr. Satnam Singh, Advocate, for
Mr. T.P.S.Makkar, Advocate for respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.226 dated 22.8.2020 registered under Sections 307, 452, 506, 148, 149, 120-B, 336, 188 IPC and Sections 25, 27 of Arms Act, Section 51 of Disaster Management Act and Section 3 of Epidemic Diseases Act (Sections 30 of Arms Act added later on) at Police Station Kotbhai, District Sri Muktsar Sahib on the basis of compromise.

2. The above stated FIR was registered on the statement of the complainant/respondent No.2-Jeet Singh against the petitioners.
3. On notice of motion, respondents No.2 and 3 appeared in the Court through their counsel and pleaded that they have 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. It is brought to the notice of this Court that during the pendency

of the present petition, petitioner No.9-Malkeet Singh has died.

5. During the course of preliminary hearing, the trial Court/Illaqa Magistrate was directed to record the statements of the all the concerned parties except petitioner No.9-Malkeet Singh (who has since died), with regard to genuineness and validity or otherwise of the aforesaid compromise.

6. In compliance thereof, report from the Court of Sessions Judge, Sri Muktsar Sahib along with statements of the parties except petitioner No.9-Malkeet Singh (who has since died) has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

7. I have heard learned counsel for the parties.

8. Learned counsel for the petitioners and for respondents No.2 and 3 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. 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.

10. 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.226 dated

22.8.2020 registered under Sections 307, 452, 506, 148, 149, 120-B, 336, 188 IPC and Sections 25, 27 of Arms Act and Section 51 of Epidemic Diseases Act (Sections 30 of Arms Act added later on) at Police Station Kotbhai, District Sri Muktsar Sahib and all the subsequent proceedings are hereby quashed qua the petitioners except petitioner No.9-Malkeet Singh who has since died.

(**KARAMJIT SINGH**)
JUDGE

May 2, 2024
Paritosh Kumar

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