

CRM-M-36582-2023

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

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CRM-M-36582-2023

Date of Decision:-**26.04.2024**

Salamdin

.....Petitioners

Versus

State of Punjab and Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. H.S. Sandhu, Advocate for

Mr. Yaspal Thakur, Advocate for the petitioners.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

Ms. Arshdeep Kaur, Advocate for the complainant.

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of **FIR No.81** dated **20.04.2023**, registered under Sections **454, 380 of IPC**, registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib (**Annexure P-3**) and subsequent proceeding arising therefrom on the basis of compromise dated 26.06.2023 (Annexure P-4).

2. Keeping in view the fact that the parties entered into a settlement, the Coordinate Bench of this Court vide orders dated **08.08.2023** directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated **14.09.2023** has been received from **Sub Divisional Judicial Magistrate Amloh** stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

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 in 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 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 the disputes among themselves in a *bona fide* manner.

5. Consequently, the present petition is allowed. **FIR No.81** dated **20.04.2023**, registered under Sections **454, 380 of IPC**, registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib (**Annexure P-3**) and subsequent proceeding arising therefrom, are hereby quashed qua the petitioners subject to costs of **Rs.10,000/-** to be paid by the petitioner and **Rs.5,000/-** to be paid by respondent No.2 within a period of **two weeks** from today in the account of the **Nishkam Sewa Group (run by Punjab and Haryana High Court Lawyers at Chandigarh).**

(ALOK JAIN)
JUDGE

26.04.2024

Manju

Whether speaking/reasoned:-
Whether Reportable:-

Yes/No
Yes/No