



**264/A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-46153-2023

Date of Decision: 09.09.2024

Abdul Guffar and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Sunny K. Singla, Advocate
for the petitioners.

Ms. Avneet, AAG, Punjab.

Mr. Mahipal Singh Yadav, Advocate for respondent No.2.

GURBIR SINGH, J. (ORAL)

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of cross-case/DDR No.42 dated 07.06.2022 (Annexure P-3) under Sections 323/341/148/149 of IPC, PS Sadar Ahmedgarh, District Malerkotla in FIR No.193 dated 03.11.2020 under Sections 323/324/341/506/148/149 of IPC, 1860 (offence under Section 326 IPC added later on) registered at Police Station Sadar Ahmedgarh, District Sangrur (Annexure P-1).

2. Learned counsel for the petitioners submits that the present case is cross-case of above mentioned FIR No.193 dated 03.11.2020 wherein petition i.e. CRM-M-5687-2024 was filed for quashing of the FIR on the basis of compromise and parties in both these cases is same and today both the cases are listed together. He further submits that the instant case may also be disposed of in the same terms of petition bearing CRM-M-5687-2024.

3. Status report dated 08.09.2024 by way of affidavit of Mr.

Manavjit Singh Sidhu, Deputy Superintendent of Police, Sub Division Ahmedgarh, District Malerkotla has been filed on behalf of the respondent-State, which is taken on record. Copy has been supplied to the counsel for the petitioner. In para No.13 of the status report it has been mentioned that accused in the present case have filed a petition i.e. CRM-M-5687-2024 for quashing of main case FIR No.193 dated 03.11.2020 on the basis of compromise and statement of the parties regarding compromise has also been recorded before the trial Court and now the case is pending adjudication before this Court.

4. Learned counsel appearing on behalf of respondent No.2-complainant has not disputed the factum of compromise.

5. Learned State counsel submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR.

6. I have heard learned counsel for the parties and have gone through the record.

7. In a decision, based on compromise, none of the parties is a loser. Rather, a compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

8. Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and cross-case/DDR No.42 dated 07.06.2022

(Annexure P-3) under Sections 323/341/148/149 of IPC, PS Sadar Ahmedgarh, District Malerkotla in FIR No.193 dated 03.11.2020 under Sections 323/324/341/506/148/149 of IPC, 1860 (offence under Section 326 IPC added later on) registered at Police Station Sadar Ahmedgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise.

09.09.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No