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2024 PHHC 143910



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

CRM-M-44483-2024

Date of decision:05.11.2024

SUKHDEV AND OTHERS

...Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Munish Puri, Advocate
for the petitioners.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

Mr. Amrit Paul Nahar, Advocate for
Ms. Deepti Rampal, Advocate
for respondents No.2 and 3.

KARAMJIT SINGH, J. (Oral)

1. Counsel for the petitioners made statement that he be permitted to withdraw the present petition qua petitioners No.6 and 8 namely Bhupinder Saini and Ranjodh @ Rana @ Harjot Rana. Accordingly, the present petition is hereby dismissed as withdrawn qua petitioners No.6 and 8.

2. Prayer in this petition is for quashing of DDR No.31 dated 19.11.2018 registered under Sections 323, 324, 201, 506, 148, 149 of IPC in FIR No.55 dated 08.11.2018 under Sections 323, 325, 506, 34 of IPC at Police Station Sadar, District Pathankot, on the basis of compromise.



3. The above stated FIR was registered on the statement of the complainant/respondent No.2-Suresh Kumar against the petitioners.

4. 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.

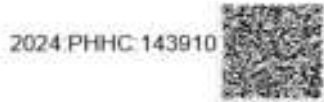
5. During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

6. In compliance thereof, report from the Court of Judicial Magistrate First Class, Pathankot 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.

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 DDR No.31 dated 19.11.2018 registered under Sections 323, 324, 201, 506, 148, 149 of IPC in FIR No.55 dated 08.11.2018 under Sections 323, 325, 506, 34 of IPC at Police Station Sadar, District Pathankot, and all the subsequent proceedings are hereby quashed qua the present petitioners except petitioners No.6 and 8.

05.11.2024
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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