

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

CRM-M-46707-2023 (O&M)

Date of decision: 16.04.2024

Baljinder Singh @ Billa

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. K.B. Raheja, Advocate for the applicant-petitioner.

Mr. Inderjeet Singh, DAG, Punjab.

Mr. Manish Beniwal, Advocate for respondents No.2 and 3.

KARAMJIT SINGH, J. (ORAL)**CRM-14636-2024**

Application is allowed as prayed for.

CRM-M-46707-2023

1. The present petition has been filed by the petitioner seeking quashing of FIR No.70 dated 23.08.2008 under Sections 420/467/468/471/120-B IPC, Police Station Harike, District Tarn Taran was registered on the basis of statement of Gurinder Singh (since deceased) and is being represented by his mother Dalbir Kaur (respondent No.2) and wife Kamaljit Kaur (rspondent No.3). Death certificate of Gurinder Singh is available on the record.

2. On notice of motion, respondents No.2 & 3 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has

been effected between the parties.

3. 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.

4. In compliance thereof, report from the Court of Judicial Magistrate, Ist Class, Patti 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.

5. I have heard learned counsel for the parties.

6. Learned counsel for the petitioner(s) and for respondents No.2 & 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.

7. 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.

8. 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.70 dated 23.08.2008 under Sections 420/467/468/471/120-B IPC, Police Station

Harike, District Tarn Taran and all the subsequent proceedings are hereby quashed qua the petitioner.

16.04.2024
Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No