

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

284

CRM-M-54776-2023

Date of Decision:-22.04.2024

Jagga Singh@Jagtar Singh and Ors.

.....Petitioners

Versus

State of Punjab and Ors.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ALOK JAIN**

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Present: Mr. Balbir Singh Jaswal, Advocate for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Ankit Bhardwaj, Advocate for respondents No.2 and 3.

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**ALOK JAIN, J. (Oral)**

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of **FIR No.198** dated **16.08.2020**, registered under Section 379-B (2) of IPC, registered at Police Station **Lopoke, District Amritsar (Annexure P-1)** and subsequent proceeding arising therefrom on the basis of compromise dated 11.09.2023 (Annexure P-2).
2. In compliance of the order dated 05.03.2024, learned State counsel has filed short reply by way of an affidavit of Sukhjinder Pal Singh, PPS, Deputy Superintendent of Police, Sub-Divisoin Attari, Amritsar (Rural), which is taken on record.
3. Keeping in view the fact that the parties entered into a settlement, the Coordinate Bench of this Court vide order dated **22.01.2024** directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated **13.02.2024** has been received from **Judicial Magistrate 1<sup>st</sup> Class, Ajnala**, 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 respondents No.2 and 3 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.198** dated **16.08.2020**, registered under Section 379-B (2) of IPC, registered at Police Station **Lopoke, District Amritsar (Annexure P-1)** and subsequent proceeding arising therefrom, are hereby quashed qua the petitioners subject to costs of **Rs.15,000/-** to be paid by each of the petitioner and **Rs.10,000/-** to be paid by respondents No.2 and 3 (Collectively) 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).**

6. In view of the status report filed by the State detailing out the cases lodged against various petitioners, State reserves the rights to proceed in those FIRs and the quashing of the present FIR shall not come in their way and shall not be taken as a defense by either of the parties

(ALOK JAIN)  
JUDGE

22.04.2024

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