

MANJIT SINGH AND ANOTHER

...Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Suresh Kumar Arya, Advocate
for the applicant-petitioners.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

Mr. Sunil Kumar, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

CRM-1307-2024

For the reasons stated in the application and there being no objection from the other side the present application is allowed and the main case is taken on board today itself.

CRM-M-52289-2022

1. Prayer in this petition is for quashing of FIR No.35 dated 16.04.2020 registered under Sections 307/452/34 of IPC and Sections 25/27 of the Arms Act at Police Station Jhander, District Amritsar (Rural) and all subsequently proceedings arising there from on the basis of compromise dated 04.11.2022(Annexure P-2).
2. The above stated FIR was registered on the statement of the complainant/respondent No.2-Gurwinder Singh against the petitioners.
3. On notice of motion, respondent No.2 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.

4. During the course of preliminary hearing, the trial Court/Illaq Magistrate/Duty 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.

5. In compliance thereof, report from the Court of Judicial Magistrate, 1st Class, Ajnala 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.

6. I have heard learned counsel for the parties.

7. Learned counsel for the petitioner(s) and for respondent No.2 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.

8. 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.

9. 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.35 dated 16.04.2020 registered under Sections 307/452/34 of IPC and

Amritsar (Rural) and all the subsequent proceedings are hereby quashed
qua the petitioners.

18.01.2024
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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