

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

**CRM-M-55977-2023
Date of decision: 14.02.2024**

DEVI LAL AND ORS.

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Kuldip Singh, Advocate for the petitioners.

Mr. Siddharth Attri, AAG, Punjab.

Mr. Aman Kumar, Advocate for
Mr. Nitish, Advocate for respondent No.2.

ALOK JAIN ,J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.126 dated 15.09.2023, registered under Sections 452, 323, 148, 149 of IPC at Police Station Khuian Sarwar, District Fazilka (Annexure P-1) and subsequent proceeding arising therefrom on the basis of compromise dated 25.09.2023 (Annexure P-2).

2. Keeping in view the fact that the parties entered into a settlement, this Court vide order dated 06.12.2023 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 09.01.2024 has been received from Judicial Magistrate 1st Class, Abohar, 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 respondent No.2-complainant admit the factum of compromise and submit that they have no objection in quashing of the FIR on that basis.

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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, this petition is allowed. FIR No.126 dated 15.09.2023, registered under Sections 452, 323, 148, 149 of IPC at Police Station Khuian Sarwar, District Fazilka (Annexure P-1) and subsequent proceeding arising therefrom, are hereby quashed qua the petitioners subject to costs of Rs.5,000/- to be paid by each of the petitioner and Rs.10,000/- to be paid by respondent No.2 within a period of two weeks from today in the account of the **Poor Patients Welfare Fund, PGIMER, Chandigarh.**

14.02.2024

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(ALOK JAIN)
JUDGE

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