

CRM-M-58262-2023 (O&M)

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

273-A

CRM-M-58262-2023 (O&M)

Date of Decision:-20.03.2024

Lakhwinder Singh @ Beera.

.....Petitioner

Versus

State of Punjab and Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Akhil Dadwal, Advocate for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab.

Ms. Divya Jyoti, Advocate for respondents No.2 and 3.

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of **FIR No.94** dated **09.06.2008**, under Sections **323, 324 and 34 of IPC**, registered at Police Station **Dasuya, District Hoshiarpur** and subsequent proceeding arising therefrom on the basis of compromise (Annexures P-7 and P-9).

2. Keeping in view the fact that the parties entered into a settlement, this Court vide order dated **28.02.2024** directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated **15.03.2024** has been received from **Chief Judicial Magistrate 1st Class, Dasuya**, 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, this petition is allowed. **FIR No.94** dated **09.06.2008**, under Sections **323, 324 and 34 of IPC**, registered at Police Station **Dasuya, District Hoshiarpur** and subsequent proceeding arising therefrom, are hereby quashed qua the petitioner subject to costs of **Rs.10,000/-** to be paid by the petitioner and **Rs.10,000/-** to be paid by respondents No.2 and 3 within a period of **two weeks** from today in the account of the **Poor Patients Welfare Fund, PGIMER, Chandigarh.**

6. Pending application(s), if any, stands disposed of.

(ALOK JAIN)
JUDGE

20.03.2024
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Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No