

CRM-M-60593-2022

Date of decision:14.02.2024

Harpreet alias Nikka and others

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Lakhwinder Singh Mann, Advocate
 for the petitioners.

 Mr. I.S.Ladher, DAG, Punjab.

 Mr. S.K.Kaushik, Advocate for
 Mr. Hardeep Singh, Advocate
 for respondents No. 2 to 4/complainant.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No. 42 dated 13.06.2019 (Annexure P-1) registered under Sections 323, 324, 34 IPC 1860 (Section 326 IPC 1860 added lateron) at Police Station City Nakodar, District Jalandhar Rural and its subsequent proceedings on the basis of mutual compromise dated 17.12.2022 affected between the petitioners and respondents No. 2 to 4.

The above stated FIR was registered on the statement of the complainant/respondent No.2-Amarjit Kaur w/o injured Gurmail Singh.

Gurmail Singh died on 26.12.2020. Copy of his death certificate is placed on record. Respondents No. 3 and 4 are his sons, while respondent No. 2 is his wife.

On notice of motion, learned counsel for respondents No. 2 to 4 appeared in the Court and pleaded that respondents No. 2 to 4 have no objection if

the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

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.

In compliance thereof, report from the Court of Sub Divisional Judicial Magistrate, Nakodar 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.

I have heard learned counsel for the parties.

Learned counsel for the petitioner(s) and for respondent No.2 to 4 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.

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.

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. 42 dated 13.06.2019 (Annexure P-1) and all the subsequent

proceedings are hereby quashed qua the petitioners.

KARAMJIT SINGH
(JUDGE)

14.02.2024

Divyanshi

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No