

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(266-1)

CRM-M-59670-2023

Date of Decision:-April 30, 2024

Ajnesh Kumar @ Sonu and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Kanish Jindal, Advocate and
Mr. Rishav Jain, Advocate for the petitioners.

Mrs. Vikas Suman Chaudhary, DAG, Punjab.

Mr. Bikram Singh, 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 **DDR No. 58** dated **28.07.2022** in **FIR No.194** dated **28.07.2022** under Sections **323, 341, 506, 148** of the Indian Penal Code, 1860, **Section 325 IPC** was added and **Sections 354, 279, 337, 338 IPC** were deleted later on registered at Police Station Division No. 6, District Ludhiana, and all other subsequent proceedings arising therefrom on the basis of the compromise dated 05.11.2023 (Annexure P-2).

2. Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 07.02.2024 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 23.02.2024 has been received from the Judicial Magistrate 1st Class, Ludhiana, stating that the compromise arrived at between the parties is voluntary and the same is

3. Learned State Counsel and learned counsel for respondent No. 2 admit the factum of compromise and submit that they have no objection to 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 ultimate 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 their disputes among themselves in a *bona fide* manner.
5. Consequently, this petition is allowed. **DDR No. 58** dated **28.07.2022** in **FIR No.194** dated **28.07.2022** under Sections **323, 341, 506, 148** of the Indian Penal Code, 1860, **Section 325 IPC** was added and **Sections 354, 279, 337, 338 IPC** were deleted later on registered at Police Station Division No. 6, District Ludhiana, and all other subsequent proceedings arising therefrom, are hereby quashed *qua* the petitioners, subject to payment of cost of Rs. 20,000/- to be deposited by the petitioners collectively and Rs. 5,000/- to be deposited by respondent No.2 within one month from today in *Poor Patients Welfare Fund, PGIMER, Chandigarh*.

(ALOK JAIN)
JUDGE

April 30, 2024
Parul