



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

CRM-M-22750-2024

Date of decision: 14.02.2025

Jarnail Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vipul Babuta, Advocate for the petitioner.

Mr. Inderjeet Singh Ladher, DAG, Punjab.

Mr. Rajeev Kumar Bagoria, Advocate
for respondents No.2 to 4.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 482 Cr.P.C. seeking quashing of FIR No.17 dated 11.02.2016 (Annexure P-1), under Sections 325, 323, 148, 149 IPC, Police Station Sadar, Jalalabad, District Fazilka along with subsequent proceedings including judgment of conviction and order of sentence dated 29.11.2022 (Annexure P-2) passed by the Court of Sub Divisional Judicial Magistrate, Jalalabad (West), on the basis of compromise dated 22.02.2024 (Annexure P-3).

2. The above stated FIR was registered on the statement of respondent No.4 Balkar Singh (since deceased) now represented by his legal representatives. Even, respondent No.2 Gurdeep Singh and respondent No.3 Mukhtiar Singh also sustained injuries at the time of occurrence in question.



The said FIR was registered against the petitioners. On conclusion of trial, petitioners were convicted and sentenced to undergo imprisonment by the trial Court vide judgment and order Annexure P-2. Being aggrieved, the petitioners have filed an appeal which is pending in the appellate Court at Fazilka.

3. On notice of motion, learned counsel for respondents No.2 to 4 appeared in the Court and pleaded that the private respondents are having 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 was directed to record the statements of the all concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

5. In compliance thereof, report from the Sub Divisional Judicial Magistrate, Jalalabad along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there is no undue influence or coercion from any side.

6. I have heard learned counsel for the parties.

7. Learned counsel for the petitioners and respondents 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.

8. A Division Bench of this Court in ***Sube Singh and another v. State of Haryana and another***, 2013(4) RCR(Criminal) 102 allowed the



compromise quashing petition and quashed the FIR as well as all the subsequent proceedings thereof including judgment and order passed by the Court of Additional Chief Judicial Magistrate whereby the accused persons were convicted and sentenced to imprisonment and further held that the appeal preferred by the accused persons against the aforesaid judgment and order has been rendered infructuous.

9. Subsequently, the Hon'ble Apex Court in Criminal Appeal No.1393 of 2011 titled as ***Ramawatar v. State of Madhya Pradesh*** decided on 25.10.2021 quashed all the proceedings including judgment and order of conviction and sentence passed by the trial Court against which the appeal was pending in the High Court, on the basis of the compromise effected between the parties.

10. In the case in hand, the parties have effected compromise. In view of the compromise, respondents No.2 to 4 do not want to take any further action against the petitioners. I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner. So no fruitful purpose would be served by keeping the proceedings pending in the Appellate Court.

11. 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.17 dated 11.02.2016 (Annexure P-1), under Sections 325, 323, 148, 149 IPC, Police

Station Sadar, Jalalabad, District Fazilka along with subsequent proceedings including judgment of conviction and order of sentence dated 29.11.2022 (Annexure P-2) passed by the Court of Sub Divisional Judicial Magistrate, Jalalabad (West) are quashed qua the petitioners, on the basis of compromise dated 22.02.2024 (Annexure P-3)

12. Resultantly, the appeal, if any, preferred by the petitioners against the aforesaid judgment and order dated 29.11.2022 (Annexure P-2) would be rendered infructuous.

14.02.2025
Yogesh

(KARAMJIT SINGH)
JUDGE

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