



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

CRM-M-48808-2024
Date of decision: 14.02.2025

Prem Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Naveen Batra, Advocate for the petitioner.

Mr. Ajaib Singh, DAG, Punjab.

Ms. Sonika Garg, Advocate and
Mr. Raman Kumar, Advocate for respondents No.2 to 3.

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.109 dated 25.07.2017, under Sections 279, 337, 338, 427 IPC, Police Station Nangal, District Rupnagar (Annexure P-1) and along with subsequent proceedings including judgment of conviction and order of sentence dated 06.08.2024 (Annexure P-2) passed by the Court of Sub Divisional Judicial Magistrate (Nyayadhikari Gram Nyayalya), Nangal, on the basis of compromise dated 21.09.2024 (Annexure P-3).

2. The above stated FIR was registered on the basis of the statement of respondent No.2 Raj Kumar Khanna who along with respondent No.3 Satish Kumar sustained injuries in a Motor Vehicle Accident which was caused by petitioner Prem Kumar. On conclusion of



trial, petitioner was convicted and sentenced to undergo imprisonment by the trial Court vide judgment and order Annexure P-2 dated 06.08.2024. Being aggrieved, the petitioner has filed an appeal which is pending in the appellate Court at Ropar.

3. On notice of motion, learned counsel for respondents No.2 and 3 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, Nangal 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 petitioner and respondents No.2 and 3 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

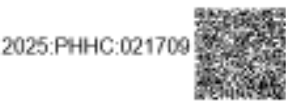


subsequent proceedings thereof including judgment and order passed by the Court of Additional Chief Judicial Magistrate whereby the accused persons were convicted and sentenced to imprisonment and further held that the appeal preferred by the accused persons against the aforesaid judgment and order has 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 and 3 does not want to take any further action against the petitioner. 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.109 dated 25.07.2017, under Sections 279, 337, 338, 427 IPC, Police Station Nangal, District Rupnagar (Annexure P-1) and along with subsequent proceedings



including judgment of conviction and order of sentence dated 06.08.2024 (Annexure P-2) passed by the Court of Sub Divisional Judicial Magistrate (Nyayadhikari Gram Nyayalya), Nangal are quashed, on the basis of compromise dated 21.09.2024 (Annexure P-3).

12. Resultantly, the appeal, if any, preferred by the petitioner against the aforesaid judgment and order dated 06.08.2024 (Annexure P-2) would be rendered infructuous.

14.02.2025
Yogesh

(KARAMJIT SINGH)
JUDGE

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