

CRM-M-60648-2024

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2025.PHHC.011717



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

CRM-M-60648-2024

Date of decision:27.01.2025

SURINDER SINGH AND OTHERS

...Petitioners

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Ms. Navjot Kaur, Advocate
for the petitioners.

Mr. Ajaib Singh, Addl.A.G., Punjab.

Mr. Aditya Anand, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of DDR No.11 Dated 13.09.2023 under Sections 323, 324, 148, 149 IPC, 1860 and Section 326 of IPC, 1860 added subsequently registered at P.S. Sadar Kapurthala, Distt. Kapurthala (Annexure P-1) in FIR bearing No.90 Dated 13.09.2023 under Sections 323, 324, 148, 149 IPC 1860 and Section 326 of IPC 1860 added subsequently registered at P.S. Sadar Kapurthala, Distt. Kapurthala, (Annexure P-2) and all the subsequent proceedings arising from the FIR on the basis of compromise.



2. The above stated FIR was registered on the statement of the complainant/respondent No.2-Binder @ Balwinder Kaur against the petitioners.

3. On notice of motion, respondent No.2 appeared in the Court through her counsel and pleaded that she has 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 the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

5. In compliance thereof, report from the Court of Judicial Magistrate First Class, Kapurthala 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.

6. I have heard learned counsel for the parties.

7. Learned counsel for the petitioners and for respondent No.2 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. 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.

9. 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 DDR No.11 Dated 13.09.2023 under Sections 323, 324, 148, 149 IPC, 1860 and Section 326 of IPC, 1860 added subsequently registered at P.S. Sadar Kapurthala, Distt. Kapurthala (Annexure P-1) in FIR bearing No.90 Dated 13.09.2023 under Sections 323, 324, 148, 149 IPC 1860 and Section 326 of IPC 1860 added subsequently registered at P.S. Sadar Kapurthala, Distt. Kapurthala and all the subsequent proceedings are hereby quashed qua the present petitioners.

27.01.2025
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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