

(2024) 05 P&H CK 3142
In the Punjab And Haryana At Chandigarh
Case No : CRM-M Of 13009 Of 2024

Gorav Kumar And Other

APPELLANT

Vs

State Of Punjab And Another

RESPONDENT

Date of Decision : 23-05-2024

Acts Referred:

Indian Penal Code, 1860 — Section 323, 325, 341, 506, 148, 149

Citation : (2024) 05 P&H CK 3142

Hon'ble Judges : Karamjit Singh, J

Bench : Single Bench

Advocate : Rajesh Kumar Kashyap, Inderjeet Singh, Sunita Devi, Gurpreet Singh

Final Decision : Allowed

Judgement

Karamjit Singh, J

Notice of the application.

State counsel as well as counsel for respondent No.2 are having no objection if the present application is allowed.

In light of the above, the present application is hereby allowed.

1. Prayer in this petition is for quashing of FIR No.52 dated 24.04.2023 registered under Sections 323, 325, 341, 506, 148, 149 of IPC at Police Station Lalru, District SAS Nagar (Mohali) on the basis of compromise.

2. Status report by way of an affidavit of Vaibhav Chaudhary, IPS, Assistant Superintendent of Police, Sub Division Derabassi, District SAS Nagar filed on behalf of respondent No.1-Stated is taken on record.

3. The above stated FIR was registered on the statement of the respondent No.2-Gurpreet Singh against the petitioners.

4. On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he 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.

5. During the course of preliminary hearing, the trial Court/Illaqa 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.

6. In compliance thereof, report from the Court of Civil Judge (Jr. Division)-cum-Judicial Magistrate First Class, Dera Bassi 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.

7. I have heard learned counsel for the parties.

8. 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.

9. 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.

10. 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.52 dated 24.04.2023 registered under Sections 323, 325, 341, 506, 148, 149 of IPC at Police Station Lalru, District SAS Nagar (Mohali) and all the subsequent proceedings are hereby quashed qua the petitioners.