

CRM-M-60323-2024

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2025.PHHC:027465



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

**CRM-M-60323-2024
Date of decision:25.02.2025**

GURMAIL SINGH GARCHA AND ANOTHER

...Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

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

Mr. Ajaib Singh, Addl.AG, Punjab.

Mr. Gursahib Singh Hundal, Advocate
for respondents No.2 & 3.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.06 dated 18.01.2017 registered under Sections 341, 323, 324, 506 and 34 IPC (Section 326 IPC added later on) at Police Station Hathur District Ludhiana Rural, Punjab on the basis of compromise.

2. The above stated FIR was registered on the statement of the complainant/respondent No.2-Krishan Kumar against the petitioners.

3. On notice of motion, respondents No.2 & 3 appeared in the Court through their counsel and pleaded that they have 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/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.

5. In compliance thereof, report from the Court of Judicial Magistrate First Class, Jagraon 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 respondents No.2 & 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. 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

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Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.06 dated 18.01.2017 registered under Sections 341, 323, 324, 506 and 34 IPC (Section 326 IPC added later on) at Police Station Hathur District Ludhiana Rural, Punjab and all the subsequent proceedings are hereby quashed qua the present petitioners.

25.02.2025
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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