

**264(1) IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

**CRM-M-10402 of 2017
Date of decision: 09.10.2017.**

LAKHWINDER SINGH AND ORS.

...Petitioner

Versus

STATE OF PUNJAB AND ORS.

...Respondents

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

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Ravi Malhotra, Advocate
for respondents No.2 & 3.

SUDIP AHLUWALIA, J.(Oral)

In this petition, the petitioners who are accused in cross case in F.I.R. No. 217 dated 17.12.2013, under Sections 452, 323, 341, 427, 506, 148, 149 of Indian Penal Code registered at Police Station Adampur, District Jalandhar, have prayed for quashing of cross case of above FIR with all subsequent proceedings pending in the Court of the Judicial Magistrate Ist Class, Jalandhar, on the basis of compromise.

2. During pendency of the trial, the complainant and victim of cross case have arrived at a settlement with the accused/complainant in FIR vide Mutual compromise (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of Statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate Ist Class, Jalandhar, vide report dated 02.05.2017, has apprised this Court that the compromise

arrived at between the parties is genuine and without any pressure.

3. Respondents No.2 & 3 are represented by their counsel.
4. In view of the report of the Judicial Magistrate Ist Class, Jalandhar, and in view of the decision of the Supreme Court in **“Gian Singh Vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543 and “Narinder Singh and others Vs. State of Punjab and Another”, (2014) 6 SCC 466**, this court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/accused persons.
5. In the circumstances, the present petition is allowed. Cross case in F.I.R. No. 217, dated 17.12.2013 under Sections 452, 323, 341, 427, 506, 148, 149 of Indian Penal Code, registered at Police Station Adampur, District Jalandhar, and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

October 09, 2017

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(SUDIP AHLUWALIA)
JUDGE

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No