

233 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 12324 of 2016
Date of Decision: 29.08.2017

Kulvir Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. R.S. Rangpuri, Advocate,
for the petitioners.

Mr. V.G. Jauhar, Senior D.A.G., Punjab.

Mr. Lakhwinder Singh, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 58, dated 10.08.2012, under Sections 452, 323, 148, and 149 of the Indian Penal Code and under Section 3 of the S.C./S.T. Act, 1989, registered at Police Station Kotbhai, District Muktsar, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings - as also the impugned judgment of conviction and order of sentence, dated 08.09.2015, (Annexure P-2), against which an appeal is pending in the Court of the Additional Sessions Judge, Sri Muktsar Sahib, on the basis of compromise.

[2]. During pendency of petition, the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-3), which

is duly signed by him. 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 Additional Sessions Judge, Sri Muktsar Sahib, vide report dated 19.04.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is represented by his counsel.

[4]. In view of the report of the Additional Sessions Judge, Sri Muktsar Sahib, and in view of the decision of the Hon'ble 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. F.I.R. No. 58, dated 10.08.2012, under Sections 452, 323, 148, and 149 of the Indian Penal Code and under Section 3 of the S.C./S.T. Act, 1989, registered at Police Station Kotbhai, District Muktsar, (Annexure P-1), including the judgment of conviction and order of sentence, dated 08.09.2015, are hereby quashed on the basis of compromise qua the present petitioners.

29.08.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No