

246 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 1362 of 2017
Date of Decision: 30.08.2017

Harjinder Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. N.S. Dandiwal, Advocate,
for the petitioners.

Mr. S.S. Cheema, A.A.G., Punjab,
for respondent No. 1.

Mr. A.S. Sidhu, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 105, dated 07.08.2016, under Sections 341, 426, 427, 148 and 149 of the Indian Penal Code, registered at Police Station Kot Ise Khan, District Moga, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Judicial Magistrate Ist Class, Moga, 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-2), 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 Judicial Magistrate Ist Class, Moga, vide report dated 29.03.2017, 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 Judicial Magistrate Ist Class, Moga, 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. 105, dated 07.08.2016, under Sections 341, 426, 427, 148 and 149 of the Indian Penal Code, registered at Police Station Kot Ise Khan, District Moga, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

30.08.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No