

261-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 15171 of 2017
Date of Decision: 12.10.2017

Karamjit Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sunil K.Tondon, Advocate,
for the petitioners.

Mr. Hittan Nehra, Additional Advocate General, Punjab,
for respondent No. 1.

Mr. C.S. Sharma, Advocate,
for respondents No. 2 and 3.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in cross case Diary No. 34, dated 05.08.2016, under Sections 323, 324, 342, 148 and 149 of the Indian Penal Code in case F.I.R. No. 103, dated 04.08.2016, under Sections 326, 323, 452, 427, 148 and 149 of the Indian Penal Code, registered at Police Station Sadar Kapurthala, District Kapurthala, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Additional Chief Judicial

Magistrate, Kapurthala, on the basis of compromise.

[2]. Ld. counsel for the petitioners states that it is a case of version and cross-version.

[3]. With the intervention of respectable and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-3), which is duly signed by her. 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 Chief Judicial Magistrate, Kapurthala, vide report dated 05.07.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[4]. Respondents No. 2 and 3 are represented by their counsel.

[5]. In view of the report of the Additional Chief Judicial Magistrate, Kapurthala, 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 herself compromised the dispute with the petitioners/ accused persons.

[6]. In the circumstances, the present petition is allowed. Cross case Diary No. 34, dated 05.08.2016, under Sections 323, 324, 342, 148 and 149 of the Indian Penal Code in case F.I.R. No. 103, dated 04.08.2016, under Sections 326, 323, 452, 427, 148 and 149 of the Indian Penal Code,

registered at Police Station Sadar Kapurthala, District Kapurthala, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

12.10.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

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