

250 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 17008 of 2017
Date of Decision: July 31, 2017

Harpreet Singh @ Happy

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Aminder Singh, Advocate,
for the petitioner.

Mr. Sandeep Kumar, D.A.G., Punjab.

Mr. P.S. Guliani, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is accused in FIR No. 55, dated June 17, 2014, under Sections 279/337/338 of the Indian Penal Code, registered at Police Station Longowal, District Sangrur, (Annexure P-1), has prayed for quashing of all proceedings as also the judgment of conviction, dated August 16, 2016, (Annexure P-2) against which an appeal is pending in the Court of the Additional Sessions Judge-I, Sangrur, on the basis of compromise.

[2]. During pendency of appeal, 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-I, Sangrur, vide report dated May 17, 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. Respondent No. 3 is not present nor he is represented by any counsel. However, he has made a statement on May 17, 2017, before the Additional Sessions Judge-I, Sangrur, whereby he has admitted the factum of compromise with the accused and deposed that he has no objection if the present F.I.R. is quashed.

[4]. In view of the report of the Additional Sessions Judge-I, Sangrur, 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 petitioner/accused person.

[5]. In the circumstances, the present petition is allowed, and all proceedings arising out of FIR No. 55, dated June 17, 2014, under Sections 279/337/338 of the Indian Penal Code, registered at Police Station

Longowal, District Sangrur, (Annexure P-1), including the judgment of conviction, dated August 16, 2016, are hereby quashed qua the present petitioner.

July 31, 2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

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