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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 18042 of 2017 (O&M)
Date of Decision: 27.10.2017

Vipan Kumar @ Nanna

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Mandeep Singh Sachdev, Advocate,
for the petitioner.

Mr. Luvinder Sofat, A.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No. 287, dated 06.12.2013, under Sections 323/427/452/506/34 of the Indian Penal Code, registered at Police Station Bhargo Camp, Jalandhar, District Jalandhar, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Deed of Compromise (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 Judicial Magistrate Ist Class, Jalandhar, vide report dated 02.06.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is not present nor he is represented by his counsel. However, he has made a statement on 02.06.2017, before the Judicial Magistrate Ist Class, Jalandhar, whereby he has admitted the factum of compromise with the accused in order to maintain peace and harmony in the society and taking into consideration future life of both the parties and further deposed that he is executing this compromise without any pressure, undue influence and he has got no objection if the quashing petition will be allowed on the basis of this compromise.

[4]. In view of the report of the Judicial Magistrate Ist Class, Jalandhar, 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. F.I.R. No. 287, dated 06.12.2013, under Sections 323/427/452/506/34 of the Indian Penal Code, registered at Police Station Bhargo Camp, Jalandhar, District Jalandhar, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

27.10.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

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