

264

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 18043 of 2017
Date of Decision: 12.10.2017

Kewal Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Amandeep Chhabra, Advocate,
for the petitioners.

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

Mr. M.S. Sodhi, Advocate,
for respondents No. 2 to 5.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 0017, dated 18.02.2017, under Sections 324, 323, 148 and 149 of the Indian Penal Code and under Section 452 of the Indian Penal Code added later on, registered at Police Station Kotbhai, District Sri Muktsar Sahib, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Sub Divisional Judicial Magistrate, Gidderbaha, on the basis of compromise.

[2]. 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-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 Sub Divisional Judicial Magistrate, Gidderbaha, vide report dated 05.08.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 to 5 are represented by their counsel.

[4]. In view of the report of the Sub Divisional Judicial Magistrate, Gidderbaha, 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. 0017, dated 18.02.2017, under Sections 324, 323, 148 and 149 of the Indian Penal Code and under Section 452 of the Indian Penal Code added later on, registered at Police Station Kotbhai, District Sri Muktsar Sahib, (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