

242 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 18115 of 2017
Date of Decision: 03.08.2017

Dilraj Dhaliwal

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. M.S. Kang, Advocate,
for the petitioner.

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

Mr. Satbir Rathore, Advocate,
for respondents No. 2 to 4.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is accused in F.I.R. No. 14, dated 30.01.2017, under Sections 279/427/337/338 of the Indian Penal Code, registered at Police Station City Hoshiarpur, District Hoshiarpur, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Principal Magistrate, Juvenile Justice Board, Hoshiarpur, 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

Principal Magistrate, Juvenile Justice Board, Hoshiarpur, vide report dated 15.06.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

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

[4]. In view of the report of the Principal Magistrate, Juvenile Justice Board, Hoshiarpur, 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. FIR No. 14, dated 30.01.2017, under Sections 279/427/337/338 of the Indian Penal Code, registered at Police Station City Hoshiarpur, District Hoshiarpur, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed qua the present petitioner.

03.08.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

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