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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No. 22485 of 2017
Date of Decision: 26.09.2017**

Prince Sharda and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Naresh Gopal Sharma, Advocate,
for the petitioners.

Ms. Bhavna Gupta, D.A.G., Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 0147, dated 11.07.2016, under Sections 458, 427, 323, 506 and 34 of the Indian Penal Code, registered at Police Station Gobindgarh Mandi, District Fatehgarh 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, Amloh, on the basis of compromise.

[2]. During pendency of petition, the complainant has arrived at a settlement with the accused vide Affidavit (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, Amloh, vide report dated 06.09.2017, 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 30.08.2017, before the Sub Divisional Judicial Magistrate, Amloh, whereby he has admitted the factum of compromise out of his free will and without any pressure and deposed that the Affidavit of compromise has been sworn without undue influence or coercion or pressure and it is not the result of fraud in any manner and same is with the free will and voluntary.

[4]. In view of the report of the Sub Divisional Judicial Magistrate, Amloh, 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. 0147, dated 11.07.2016, under Sections 458, 427, 323, 506 and 34 of the Indian Penal Code, registered at Police Station Gobindgarh Mandi, District Fatehgarh Sahib, (Annexure P-1), and all consequential

proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

26.09.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

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