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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 24623 of 2017
Date of Decision: 11.10.2017

Som Nath Sood and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Atul Goyal, Advocate,
for the petitioners.

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

Mr. Mohd. Yousuf, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 301, dated 02.11.2007, under Sections 419/420/465/467/468/471/120-B of the Indian Penal Code, registered at Police Station Division No. 5, District Ludhiana, (Annexure P-1), have prayed for quashing of F.I.R. and the judgment/order, dated 10.12.2015, (Annexure P-2), passed by Judicial Magistrate Ist Class, Ludhiana, with all subsequent proceedings pending in the Court of the Judicial Magistrate Ist Class, Ludhiana, 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-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, Ludhiana, vide report dated 06.10.2017, 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.

[4]. In view of the report of the Judicial Magistrate Ist Class, Ludhiana, 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. 301, dated 02.11.2007, under Sections 419/420/465/467/468/471/120-B of the Indian Penal Code, registered at Police Station Division No. 5, District Ludhiana, (Annexure P-1), the judgment/order, dated 10.12.2015, (Annexure P-2), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

11.10.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

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