

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

CRM-M No.25840 of 2017

Date of Decision : 24.11.2017

Ajay alias Ajaik and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Sandeep Arora, Advocate
for the petitioners.

Mr. Luvinder Sofat, Asstt. Advocate General, Punjab
for respondent No.1-State.

Mr. G.S. Rawat, Advocate
for the complainant/respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R No.113, dated 27th June, 2017, under Sections 307, 323, 148, 149, 341 of the Indian Penal Code registered at Police Station Navi Baradari, District Jalandhar (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of Ld. Judicial Magistrate 1st Class, Jalandhar 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 Judicial Magistrate 1st Class, Jalandhar vide report dated 19th September, 2017 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. It may be mentioned that originally the offence under Section 307 of the IPC was also alleged in the FIR. But from the material collected during investigation no application of the said offence appears to be made out. In fact, the relevant MLR of the victim indicates certain lacerated wounds by blunt weapon (baseball bat in this case), resulting in simple injury.

4. The complainant/respondent No.2 is represented by his counsel.

5. In view of the report of the Judicial Magistrate 1st 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 petitioners/accused persons.

6. In the circumstances, the present petition is allowed. F.I.R No.113, dated 27th June, 2017, under Sections 307, 323, 148, 149, 341 of the Indian Penal Code registered at Police Station Navi Baradari, District Jalandhar (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

November 24, 2017

Dpr

**(SUDIP AHLUWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No