

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

CRM-M-26822 of 2017

Date of decision: 09.10.2017.

Baljinder Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

Present: Mr. Varinder Chhibar, Advocate
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Gursharan Singh, Advocate
for respondent No.2-complainant.

SUDIP AHLUWALIA, J.

In this petition, the petitioners who are accused in F.I.R. No. 84 dated 09.07.2016, under Sections 323,452,506,34 of Indian Penal Code registered at Police Station Kurali, District S.A.S. Nagar, (Annexure P-1), have prayed for quashing of FIR with all subsequent proceedings pending in the Court of the Judicial Magistrate Ist Class, Kharar, on the basis of compromise.

2. During pendency of petition, the complainant has arrived at a settlement with the accused vide Mutual compromise (Annexure P-2), which is duly signed by her. 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, Kharar, 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 represented by her counsel.
4. In view of the report of the Judicial Magistrate Ist Class, Kharar, and in view of the decision of the 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 herself compromised the dispute with the petitioners/accused persons.
5. In the circumstances, the present petition is allowed. F.I.R. No. 84, dated 09.07.2016 under Sections 323,452,506, 34 of Indian Penal Code, registered at Police Station Kurali, district SAS Nagar, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

October 09, 2017

P.Sharma

(SUDIP AHLUWALIA)

JUDGE

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No