

268-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 26949 of 2017
Date of Decision: 11.10.2017

Avtar Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Saurav Bhatia, Advocate,
for the petitioners.

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

Mr. S.S. Rangi, Advocate,
for respondent No. 2/complainant.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in Complaint No. 98RT/07.08.2013, dated 07.08.2013, under Sections 323, 324, 325, 341, 447, 452 and 506 of the Indian Penal Code, in the Courts of the Judicial Magistrate Ist Class, Rajpura, Police Station Shambhu, District Patiala, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Judicial Magistrate Ist

Class, Rajpura, on the basis of compromise.

[2]. Ld. counsel for the petitioners states that it is a case of version and cross-version.

[3]. 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-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 Ist Class, Rajpura, vide report dated 21.09.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[4]. Respondent No. 2 is represented by his counsel.

[5]. In view of the report of the Judicial Magistrate Ist Class, Rajpura, 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. Complaint No. 98RT/07.08.2013, dated 07.08.2013, under Sections 323, 324, 325, 341, 447, 452 and 506 of the Indian Penal Code, in the Courts of the Judicial Magistrate Ist Class, Rajpura, Police Station Shambhu, District

Patiala, (Annexure P-1), 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**

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