

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

CRM-M-27312-2017

Date of decision: 09.10.2017.

Jagdish Kumar and others

...Petitioners

Versus

State of Punjab and another

...Respondents

Present: None for the petitioners.

Mr. Hittan Nehra, Additional A.G. Punjab.

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

SUDIP AHLUWALIA, J.

In this petition, the petitioners who are accused in F.I.R. No. 28 dated 19.03.2016, under Sections 452, 323, 34 Indian Penal Code registered at Police Station Naya Gaon, District S.A.S. Nagar (Mohali) (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 trial, the complainant has arrived at a settlement with the accused vide Mutual compromise (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, Kharar, vide report dated 21.07.2017, 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,

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. 28 dated 19.03.2016, under Sections 452, 323, 34 Indian Penal Code registered at Police Station Naya Gaon, District S.A.S. Nagar (Mohali) (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:
Whether Reportable:

Yes/No
Yes/No