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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 28464 of 2017
Date of Decision: 12.10.2017

Gurinderjit Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Naresh Gopal Sharma, Advocate,
for the petitioners.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 0031, dated 09.05.2017, under Sections 420 and 406 of the Indian Penal Code, registered at Police Station City Budhlada, District Mansa, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Additional Civil Judge (Senior Division), Budhlada, 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 Affidavit and Written Compromise, i.e. Annexures P-2 and P-3,

respectively, 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 Additional Civil Judge (Senior Division), Budhlada, vide report dated 29.09.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is not present nor he is represented by his counsel. However, he has made a statement on 28.09.2017, before the Additional Civil Judge (Senior Division), Budhlada, whereby he has admitted the factum of compromise with the accused out of his sweet will and without any pressure and deposed now there is no dispute between them and he do not want to take any action against the accused persons and also that he has no objection if the present petition is quashed.

[4]. In view of the report of the Additional Civil Judge (Senior Division), Budhlada, 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. 0031, dated 09.05.2017, under Sections 420 and 406 of the Indian Penal Code, registered at Police Station City Budhlada, District Mansa,

(Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

12.10.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

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