

251-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 29443 of 2017
Date of Decision: 15.09.2017

Yash Pal and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Munish Puri, Advocate,
for the petitioners.

Mr. S.S. Cheema, A.A.G., Punjab,
for respondent No. 1.

Mr. Dinesh Trehan, Advocate,
for respondents No. 2 and 3.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in cross case D.D.R. No. 39, dated 18.04.2017, under Sections 323/148/149 of the Indian Penal Code, registered at Police Station City Ferozepur (Sections 148/149 of the Indian Penal Code were deleted and Section 34 was added) (Annexure P-1), and Section 452 of the Indian Penal Code was added later on, vide D.D.R. No. 41, dated 06.05.2017, at Police Station City Ferozepur, (Annexure P-2), in main case F.I.R. No. 74/2017, dated 18.04.2017, under

Sections 324, 323, 506, 148 and 149 of the Indian Penal Code, registered at Police Station City Ferozepur, (Annexure P-3), and Section 307 of the Indian Penal Code was added later on vide D.D.R. No. 17, dated 23.07.2017, at Police Station City Ferozepur, (Annexure P-4), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Chief Judicial Magistrate, Ferozepur, on the basis of compromise.

[2]. Learned counsel for the petitioners submits that it is a case of version and cross version.

[3]. During pendency of petition, the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-5), 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 Chief Judicial Magistrate, Ferozepur, vide report dated 06.09.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[4]. Respondents No. 2 and 3 are represented by their counsel.

[5]. In view of the report of the Chief Judicial Magistrate, Ferozepur, 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. cross case D.D.R. No. 39, dated 18.04.2017, under Sections 323/148/149 of the Indian Penal Code, registered at Police Station City Ferozepur (Sections 148/149 of the Indian Penal Code were deleted and Section 34 was added) (Annexure P-1), and Section 452 of the Indian Penal Code was added later on, vide D.D.R. No. 41, dated 06.05.2017, at Police Station City Ferozepur, (Annexure P-2), in main case F.I.R. No. 74/2017, dated 18.04.2017, under Sections 324, 323, 506, 148 and 149 of the Indian Penal Code, registered at Police Station City Ferozepur, (Annexure P-3), and Section 307 of the Indian Penal Code was added later on vide D.D.R. No. 17, dated 23.07.2017, at Police Station City Ferozepur, (Annexure P-4), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

15.09.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No