

272

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 32296 of 2017
Date of Decision: 31.10.2017

Ashu @ Ashu Marwaha and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Vivek K.Thakur, 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. 111, dated 19.05.2015, under Sections 323/324/148/149 of the Indian Penal Code, registered at Police Station City Kapurthala, District Kapurthala, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide 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 Chief Judicial Magistrate, Kapurthala, vide report dated 13.10.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 to 4 are not present nor they are represented by their counsel. However, each of them has made a statement on 28.09.2017, before the Chief Judicial Magistrate, Kapurthala, whereby they have admitted the factum of compromise with the accused persons voluntarily and without any threat, coercion or pressure.

[4]. In view of the report of the Chief Judicial Magistrate, Kapurthala, 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. 111, dated 19.05.2015, under Sections 323/324/148/149 of the Indian Penal Code, registered at Police Station City Kapurthala, District Kapurthala, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

31.10.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

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