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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 32757 of 2017
Date of Decision: 06.11.2017

Patwant Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Parminder Singh Kanwar, Advocate,
for the petitioners.

Mr. Luvinder Sofat, A.A.G., Punjab,
for respondent No. 1.

Mr. Amit Arora, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No. 35, dated 03.04.2012, under Sections 324 and 334 of the Indian Penal Code (offence under Section 326 of the Indian Penal Code added later on), registered at Police Station Chola Sahib, District Tarn Taran, have prayed for quashing of F.I.R. with all subsequent proceedings, as also the judgment of conviction passed by the Court below, i.e., Chief Judicial Magistrate, Tarn Taran, on the basis of compromise.

[2]. The petitioners were convicted of the offences under Sections 324/326/34 of the Indian Penal Code and were sentenced accordingly.

Thereafter, the instant petition has been filed, since the parties concerned

have arrived at a settlement. 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, Tarn Taran, vide report dated 11.10.2017, 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 and he does not oppose the compromise.

[4]. In view of the report of the Chief Judicial Magistrate, Tarn Taran, 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 and in view of the decisions of the Supreme Court in "*Gulab Das Vs. State of M.P.*", 2012 (1) R.C.R. (Criminal) 220 and "*Mukesh Kumar Vs. State of Rajasthan*", 2013 (11) S.C.C. 511, while sustaining conviction of the petitioners for the offences under Sections 324/326/34 of the Indian Penal Code, the matter is disposed off with a direction that no further sentence needs to be suffered by them nor any fine needs to be paid, apart from the sentence already undergone by them. F.I.R. No. 35, dated 03.04.2012, under Sections 324 and 334 of the Indian Penal Code (offence under Section 326 of the Indian Penal Code added later on), registered at Police Station Chola Sahib, District Tarn

Taran, and all consequential proceedings arising therefrom, are also hereby quashed on the basis of compromise qua the present petitioners.

06.11.2017

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

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