

242 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 34109 of 2016
Date of Decision: 30.08.2017

Gurdip Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.

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

Mr. G.S. Rawat, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No. 425, dated 27.10.2003, under Sections 323, 148 and 149 of the Indian Penal Code, registered at Police Station Nakodar, District Jalandhar, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Sub Divisional Judicial Magistrate, Nakodar, including the quashing of order dated 23.08.2006, passed by Ld. Sub Divisional Judicial Magistrate, Nakodar, declaring him as proclaimed offender, on the basis of compromise.

[2]. During pendency of petition, the complainant has arrived at a

settlement with the accused vide Compromise Deed (Annexure P-4), 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 Sub Divisional Judicial Magistrate, Nakodar, vide report dated 10.03.2017, 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 Sub Divisional Judicial Magistrate, Nakodar, 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 petitioner/accused person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 425, dated 27.10.2003, under Sections 323, 148 and 149 of the Indian Penal Code, registered at Police Station Nakodar, District Jalandhar, (Annexure P-1), and order dated 23.08.2006, passed by Ld. Sub Divisional Judicial Magistrate, Nakodar, are hereby quashed on the basis of compromise qua the present petitioner.

30.08.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

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