

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-39135-2016

Date of decision : 13.02.2017

Paramjit Singh and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Rakesh Kumar, Advocate
for the petitioners.

Mr.D.S. Virk, AAG, Punjab.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.139 dated 18.10.2016, registered against the petitioners at Police Station Sadar Kapurthala City, District Kapurthala, for the alleged commission of offences punishable under Sections 324, 452 read with Section 34 IPC, is sought to be quashed, on the basis of a compromise arrived at between the petitioners-accused and respondent no. 2, i.e. the complainant.

Vide an order of this Court dated 04.11.2016, the parties were directed to appear before the learned Illaqa Magistrate/trial Court, to get their statements recorded, in terms of the compromise.

Pursuant to the said order dated 04.11.2016, the report of the learned Additional Chief Judicial Magistrate, Kapurthala, has been received, to the effect that the statements of petitioners Paramjit Singh and Darshan Kaur and respondent no.2, complainant Hukam Singh, have been recorded

to the effect that the matter has been compromised between them, and as per the assessment of the learned Magistrate, the statements were made voluntarily and without any pressure.

Learned counsel for the parties submit that other than respondent no.2 no other person is aggrieved of the offences alleged to have been committed by the petitioners as per FIR in question, which is discerned to be so even from a reading of the FIR.

Keeping in view the nature of the offences and the fact that the parties have compromised the matter with each other, with the complainant no longer wishing to pursue criminal proceedings, further keeping in mind the ratio of the law laid down by the hon'ble Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, in the opinion of this Court, it would be pointless to continue with such proceedings.

Consequently, the petition is allowed and FIR No. 139 dated 18.10.2016, registered against the petitioners at Police Station Sadar Kapurthala City, District Kapurthala, for the alleged commission of offences punishable under Sections 324, 452, read with Section 34, IPC, along with all proceedings arising therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

February 13, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No