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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 43029 of 2016
Date of Decision: 02.11.2017

Sanjeev Parihar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sarju Puri, Advocate,
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab,
for respondent No. 1.

Mr. Vijay Kumar, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No. 432, dated 20.12.2005, under Sections 341, 323, 324, 148 and 149 of the Indian Penal Code, registered at Police Station Sadar Banga, District S.B.S. Nagar, (Annexure P-1), has prayed for quashing of the 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 Written 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, Shaheed Bhagat Singh Nagar, vide report dated 27.10.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. He has further submitted that as regards number of accused is concerned, on perusal of original file, it transpired that F.I.R. was registered against Gurbinder Singh @ Garry, Harkamal Singh, Parminder Singh, Inderjit Singh, Prabhjeet Singh and Sanjiv Parihar. Accused Sanjeev Parihar, Harkanwal Singh @ Kamal, Inderjit Singh were declared proclaimed offender while accused Prabhjeet Singh was acquitted and accused Gurbinder Singh @ Garry and Parminder Singh @ Jora were kept in Khana Number 2 and not challaned.

[3]. Respondent No. 2 is represented by his counsel.

[4]. In view of the report of the Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar, 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. 432, dated 20.12.2005, under Sections 341, 323, 324, 148 and 149 of the Indian Penal Code, registered at Police Station Sadar Banga, District

S.B.S. Nagar, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

02.11.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

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