

**263-A IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M No. 8105 of 2017 (O&M)

Date of Decision: 14.09.2017

Gurdial Singh

..... Petitioner

Versus

Prabhjot Singh @ Jyoti

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Dinesh Trehan, Advocate,
for the petitioner.

Mr. Jashandeep Singh, Advocate,
for the respondent.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in Criminal Complaint case No. COMI/871/2014, dated 13.10.2014, under Section 307 of the Indian Penal Code and under Sections 27/54/59 of the Arms Act (Annexure P-1), has prayed for quashing of the Criminal Complaint case with all subsequent proceedings pending in the Court of the Judicial Magistrate Ist Class, Ludhiana, 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-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 Judicial Magistrate Ist Class, Ludhiana, vide report dated 24.04.2017, has apprised

this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. The respondent is represented by his counsel.

[4]. In view of the report of the Judicial Magistrate Ist Class, Ludhiana, 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. Criminal Complaint case No. COMI/871/2014, dated 13.10.2014, under Section 307 of the Indian Penal Code and under Sections 27/54/59 of the Arms Act (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

14.09.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No