

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

251

CRM-M-9344-2017

Date of Decision: 17.07.2017

Gurdip @ Gurdeep Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. N.S. Dadwal, Advocate,
for the petitioners.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Mr. Jagjit Singh, Advocate,
for respondent No.2-complainant.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioners, who are the accused persons in FIR No.53 dated 20.08.2013 under Sections 447, 448, 457, 380 & 34 of Indian Penal Code (in short 'IPC') registered at Police Station City Raikot, District Ludhiana Rural, have prayed for quashing of FIR with all subsequent proceedings pending in the Court of Judicial Magistrate 1st Class, Jagraon.

During pendency of the trial, the complainant has arrived at a settlement with the accused persons. Although there is no compromise placed on record, however, only a duly sworn affidavit with respect to compromise arrived between the petitioners/accused persons and the complainant, is on record as Annexure P-2. 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 JMIC, Jagraon, vide report dated 05.06.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without

Respondent No.2 is represented by his counsel.

In view of the report of JMIC, Jagraon 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 and has furnished an affidavit to this effect.

In the circumstances, the present petition is allowed. FIR No.53 dated 20.08.2013 under Sections 447, 448, 457, 380 & 34 of IPC, Police Station City Raikot, District Ludhiana Rural (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed qua the present petitioners.

(SUDIP AHLUWALIA)
JUDGE

17.07.2017

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