

CRM-M No.11512 of 2018

Date of Decision : 31.05.2018

Balwant Singh @ DC and others

.....Petitioners

versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** Mr. A.S. Barnala, Advocate
for the petitioners.Mr. Davinder Bir Singh, DAG, Punjab
for respondent No.1-State.Mr. Ritesh Pandey, Advocate
for the complainant/respondent No.2.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioners, who are accused persons in F.I.R. No.31, dated 16.06.2014, under Sections 324, 506 and 34 of the Indian Penal Code (for short "IPC"), registered at Police Station Thuliwal District Barnala have prayed for quashing of F.I.R. (Annexure P-1), as well as the order of conviction dated 23.05.2017, passed by the Court below, i.e. Ld. Judicial Magistrate Ist Class, Barnala, on the basis of compromise.

[2]. Now during the pendency of appeal against order of conviction, the complainant has arrived at a settlement with accused/petitioners 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 Ld. Judicial Magistrate Ist Class, Barnala, vide report dated 11.05.2018 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 and he does not oppose the compromise.

[4]. In view of the report of the Ld. Judicial Magistrate Ist Class, Barnala, 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.

[5]. In the circumstances and in view of the decisions of the Supreme Court in "*Gulab Das Vs. State of M.P.*", 2012 (1) R.C.R. (Criminal) 220 and "*Mukesh Kumar Vs. State of Rajasthan*", 2013 (11) S.C.C. 511, while sustaining conviction of the petitioners for the offences under Sections 324, 506 and 34 of IPC, further proceedings in F.I.R. No.31, dated 16.06.2014, under Sections 324, 506 and 34 of IPC, registered at Police Station Thuliwal District Barnala (Annexure P-1) are hereby quashed on the basis of compromise qua the present petitioners with a direction that no further sentence needs to be suffered by them nor any fine needs to be paid, apart from the sentence already undergone by them.

(SUDIP AHLUWALIA)
JUDGE

31.05.2018

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No