

CRM-M No.12338 of 2018

Date of Decision : 24.05.2018

Rajesh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** Ms. Bhupinder Kaur, Advocate
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Ankit Aggarwal, Advocate
for the complainant/respondent No.2.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioner, who are the accused person in F.I.R No.0003, dated 16.01.2018, under Sections 279 and 337 of the Indian Penal Code (for short "IPC"), registered at Police Station Phase-11, S.A.S. Nagar, District Mohali (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings pending therefrom, on the basis of compromise.

2. Now the complainant has arrived at a settlement with the accused/s 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 Ld. Additional Chief Judicial Magistrate, SAS Nagar, Mohali vide report dated 23.05.2018 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 who does not dispute the factum of compromise.

4. In view of the report of the Ld. Additional Chief Judicial Magistrate, SAS Nagar, Mohali, 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.0003, dated 16.01.2018, under Sections 279 and 337 of IPC, registered at Police Station Phase-11, S.A.S. Nagar, District Mohali (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

(SUDIP AHLUWALIA)
JUDGE

24.05.2018

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No