

**246-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.16127 of 2018
Date of Decision : 31.05.2018

Gurmukh Singh and othersPetitioners

Versus

State of Punjab and anotherRespondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Mandeep Singh, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab
for respondent No.1-State.

Mr. Maninder Singh Dhindsa, Advocate
for the complainant/respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in cross case under Sections 323, 341, 295, 427, 148 and 149 of the Indian Penal Code (for short “IPC”) registered in F.I.R No.83, dated 22.06.2016, under Sections 323 and 34 of IPC and Section 336 of IPC added subsequently, registered at Police Station Amloh, District Fatehgarh Sahib (Annexure P-1), have prayed for quashing of cross case with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now the complainant has arrived at a settlement with the accused/petitioners vide Compromise Deed (Annexure P-3), 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 1st Class, Amloh, vide report dated 10.05.2018 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. Judicial Magistrate 1st Class, Amloh, 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, the present petition is allowed. The cross case under Sections 323, 341, 295, 427, 148 and 149 of IPC registered in F.I.R No.83, dated 22.06.2016, under Sections 323 and 34 of IPC and Section 336 of IPC added subsequently, registered at Police Station Amloh, District Fatehgarh Sahib (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

(SUDIP AHLUWALIA)
JUDGE

31.05.2018

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No