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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.1693 of 2018
Date of Decision: 01.05.2018

Gurdev Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Raman Goklaney, Advocate,
for the petitioners.

Ms. Rajni Gupta, Senior D.A.,G., Punjab,
for respondent No.1.

Mr. Gaurav Tripathi, Advocate,
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R. No.216, dated 15.12.2015, under Sections 452, 380, 342, 323, 447, 506, 148 and 149 of the Indian Penal Code and Section 27 of the Arms Act, registered at Police Station City Zira, District Ferozepur (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise. It may be mentioned that after completion of

investigation, the offences under the Arms Act were not included and even the charges were framed only under Sections 452, 380, 342, 447, 506, 148 and 149 of the Indian Penal Code.

[2]. Reply is filed on behalf of the State; Be taken on record.

[3]. With the intervention of respectables and elderly people of the society, respondent No.2 has arrived at a settlement with the accused vide Compromise (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 Sub Divisional Judicial Magistrate, Zira, vide report dated 08.03.2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[4]. Respondent No. 2 is represented by his counsel, who does not oppose the compromise.

[5]. In terms of the report of the Sub Divisional Judicial Magistrate, Zira, 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.

[6]. In the circumstances, the present petition is allowed. F.I.R. No.216, dated 15.12.2015, under Sections 452, 380, 342, 323, 447, 506, 148 and 149 of the Indian Penal Code and Section 27 of the Arms Act,

registered at Police Station City Zira, District Ferozepur (Annexure P-1),
and all consequential proceedings arising therefrom are hereby quashed on
the basis of compromise qua the present petitioners.

01.05.2018

Apurva

(SUDIP AHLUWALIA)

JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No