

CRM-M No.17751 of 2017

Date of Decision : 29.05.2018

Sawinder Singh @ Shinda and others

.....Petitioners

versus

State of Punjab and another

.....Respondents

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

In this petition, the petitioners, who are the accused persons in F.I.R No.124, dated 23.11.2012, under Sections 325, 324, 323 and 34 of the Indian Penal Code (for short "IPC"), registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur, Punjab (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings arising 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. Sub Divisional Judicial Magistrate,

Batala, 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. Sub Divisional Judicial Magistrate, Batala, 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. F.I.R No.124, dated 23.11.2012, under Sections 325, 324, 323 and 34 of IPC, registered at Police Station Dera Baba Nanak, Police District Batala, District Gurdaspur, Punjab (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

(SUDIP AHLUWALIA)
JUDGE

29.05.2018

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No