

299 (1)

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.2285 of 2018
Date of Decision: 30.04.2018

NEK CHAND AND OTHERS

..... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Surinder Sharma, Advocate,
for Mr. N.Kandola, Advocate
for the petitioners.

Ms. Rajni Gupta, Sr. Deputy Advocate General, Punjab,
for respondent No.1.

Mr. A.S. Brar, Advocate
for respondents No. 2 to 4.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No.58, dated 20.05.2013, under Sections 295, 341, 323, 506 and 34 of the Indian Penal Code, registered at Police Station Banur, District Patiala, (Annexure P-1), have prayed for quashing of the aforesaid F.I.R with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant 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 Judicial Magistrate Ist Class, Rajpura, vide report dated 07.03.2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 to 4 represented by their Counsel, who does not oppose the compromise.

[4]. In view of the report of the Judicial Magistrate Ist Class, Rajpura, 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 persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.58, dated 20.05.2013, under Sections 295, 341, 323, 506 and 34 of the Indian Penal Code, registered at Police Station Banur, District Patiala, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

30.04.2018
tarun sahani

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No