

CRM-M No. 2456 of 2018

Date of Decision : 22.05.2018

Sandeep Singh @ Babbu and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** Mr. Jaswinder Singh Grewal, Advocate
for the petitioners.Mr. Davinder Bir Singh, DAG, Punjab
for respondent No.1-State.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioners, who are the accused persons in F.I.R No.221, dated 31.07.2015 under Sections 324, 323, 342 and 34 of the Indian Penal Code (for short "IPC"), registered at Police Station City 1 Abohar, Tehsil Abohar, District Fazilka (challan presented under Sections 365, 324, 323 and 34 of IPC) (Annexure P-1), have 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. Judicial Magistrate 1st Class, Abohar, vide report dated 17.02.2018 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. None has appeared on behalf of the complainant/respondent No.2-

injured and respondent No.3 which itself shows that they have no objection to the quashing of FIR.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, Abohar, 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/respondent No.2 and respondent No.3 have themselves compromised the dispute with the petitioners/accused persons.

5. In the circumstances, the present petition is allowed. F.I.R No.221, dated 31.07.2015 under Sections 324, 323, 342 and 34 of the Indian Penal Code (for short “IPC”), registered at Police Station City 1 Abohar, Tehsil Abohar, District Fazilka (challan presented under Sections 365, 324, 323 and 34 of IPC) (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

(SUDIP AHLUWALIA)
JUDGE

22.05.2018

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No