

297(1)

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.3435 of 2018

Date of Decision: 30.04.2018

AJAY @ SONU

..... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Ashok Khichi, Advocate
for the petitioner.

Mr. Sandeep Vashisht, Deputy Advocate General, Haryana,
for respondent No.1.

Ms. Harmandeep Kaur, Advocate,
for Mr. P.K. Ganga, Advocate
for the respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is accused in cross case vide statement of respondent No.2 (Annexure P-2, colly) in F.I.R. No.35, dated 11.03.2012, under Sections 365, 342, 323, 506 and 34 of the Indian Penal Code, registered at Police Station Sirsa Sadar, District Sirsa, (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, Sirsa, vide report dated 06.03.2018, 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 oppose the compromise.

[4]. In view of the report of the Judicial Magistrate Ist Class, Sirsa, 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. Cross case as per Annexure P-2, colly, in F.I.R. No.35, dated 11.03.2012, under Sections 365, 342, 323, 506 and 34 of the Indian Penal Code, registered at Police Station Sirsa Sadar, District Sirsa, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

30.04.2018
tarun sahani

(SUDIP AHLUWALIA)
JUDGE

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