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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.33661 of 2017
Date of Decision: 23.01.2018

Rajbir Singh @ Raju

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Balbir Singh Jaswal, Advocate,
for the petitioner.

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

Ms. Kaavya Jariyal, Advocate,
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No.117, dated 29.07.2017, under Sections 365/370-A of the Indian Penal Code, registered at Police Station Jhabhal, District Tarn Taran, (Annexure P-1), has prayed for quashing of 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 Additional Chief Judicial Magistrate, Tarn Taran, vide report dated 25.10.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. It has further transpired that custody of the minor child in question is now with his father, i.e. the complainant himself.

[3]. Respondent No. 2 is represented by his Counsel and he does not oppose the compromise.

[4]. In view of the report of the Additional Chief Judicial Magistrate, Tarn Taran, 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 person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.117, dated 29.07.2017, under Sections 365/370-A of the Indian Penal Code, registered at Police Station Jhabhal, District Tarn Taran, (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

23.01.2018

Apurva

(SUDIP AHLUWALIA)
JUDGE

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