

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-34736-2017

Date of Decision: 12.02.2018

Gurjant Singh & another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Pardeep Bajaj, Advocate,
for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

None for respondent No.2-complainant.

SUDIP AHLUWALIA J. (ORAL)

1. In this petition, the petitioners, who are the accused persons in FIR No.115 dated 11.11.2015 registered under Sections 452, 186, 353, 332, 380 and 34 IPC at Police Station Phase-8, District SAS Nagar (Annexure P-1), have prayed for quashing of FIR with all subsequent proceedings on the basis of compromise.
2. Vide order dated 18.09.2017 this Court had referred the parties to the trial Court/Illaq Magistrate for recording of their statements with regard to veracity of compromise.
3. Now vide report dated 04.12.2017, Judicial Magistrate, Ist Class, Mohali has apprised this Court that the compromise is genuine and the complainant has no objection in quashing of the aforesaid FIR against the petitioners.
4. Respondent No.2 is not represented by counsel nor has put in appearance to oppose the compromise.

5. In view of the report of the Judicial Magistrate, Ist Class, Mohali 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 i.e respondent No.2 has themselves compromised the dispute with the petitioners/ accused persons.

6. In the circumstances, the present petition is allowed. FIR No.115 dated 11.11.2015 registered under Sections 452, 186, 353, 332, 380 and 34 IPC at Police Station Phase-8, District SAS Nagar (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

12.02.2018

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(SUDIP AHLUWALIA)
JUDGE

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