

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

**CRM-M No.37651 of 2017
Date of Decision: 28.02.2018**

Balwinder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: None for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is accused in F.I.R. No.0040, dated 01.06.2017, under Sections 448, 379 and 427 of the Indian Penal Code, registered at Police Station Balianwali, District Bathinda, (**Annexure P-1**), have 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 Judicial Magistrate 1st Class, Phul, vide report dated

06.12.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. In view of the report of the Judicial Magistrate 1st Class, Phul, 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.

[4]. In the circumstances, the present petition is allowed. F.I.R. No.0040, dated 01.06.2017, under Sections 448, 379 and 427 of the Indian Penal Code, registered at Police Station Balianwali, District Bathinda, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

28.02.2018
Divyanshi

(SUDIP AHLUWALIA)
JUDGE

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