

247-5

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.39290 of 2016
Date of Decision: 07.02.2018

Harbir Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. H.S. Randhawa, Advocate,
for the petitioners.

Mr. Luvinder Sofat, A.A.,G., Punjab,
for respondent No.1.

Mr. Abhishek Sharma, Advocate, for
Mr. Jasraj Singh, Advocate,
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused persons in F.I.R. No.42, dated 17.04.2014, under Sections 323, 324, 341, 506 and 34 of the Indian Penal Code, registered at Police Station Lahori Gate, PTL, District Patiala, (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, respondent No.2 has arrived at a settlement with the accused vide Agreement (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, Patiala, vide report dated 07.01.2017, 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 and he does not oppose the compromise.

[4]. In view of the report of the Judicial Magistrate Ist Class, Patiala, 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. F.I.R. No.42, dated 17.04.2014, under Sections 323, 324, 341, 506 and 34 of the Indian Penal Code, registered at Police Station Lahori Gate, PTL, District Patiala, (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioners.

07.02.2018

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No