

CRM-M No.38446 of 2017

Date of Decision : 11.05.2018

Jagroop Singh @ Roopa and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** Mr. Vishal Satija, Advocate for
Mr. Vivek K. Thakur, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Mr. Rahul Jaswal, Advocate
for respondents No.2 and 3.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioners, who are the accused in F.I.R No.132, dated 19.09.2017, under Sections 324, 323, 452, 506 and 149 of the Indian Penal Code (for short 'IPC'), registered at Police Station Sadar, District Kapurthala (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings, on the basis of compromise.

2. Vide orders dated 11.10.2017 and 28.03.2018, the parties were directed to appear before the Ld. Trial Court/Illaq Magistrate for recording of their statements in support of compromise and Ld. Magistrate was directed to submit its report with regard to genuineness of the compromise arrived at between the parties. Seen the report sent up by the Ld. Additional Chief Judicial Magistrate, Kapurthala vide Endorsement No.1090 dated 05.05.2018. At the same time, it is seen from the enclosed documents that statement of the complainant-Vijay Kumar was actually recorded by the Ld.

Additional Chief Judicial Magistrate, Kapurthala on 17.04.2018 in which the complainant had stated *“that the matter has been compromised with all the accused without any threat or pressure. I have no objection if the FIR No.132 dated 19.09.2017 under Sections 324, 323, 452, 506, 149 of IPC, Police Sadar, District Kapurthala may be quashed. No person has been declared as proclaimed person in this case”*.

3. Respondents No. 2 and 3 are represented by their counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Additional Chief Judicial Magistrate, Kapurthala, 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/respondent No.3 have themselves compromised the dispute with the petitioners/accused.

5. In the circumstances, the present petition is allowed. F.I.R No.132 dated 19.09.2017 under Sections 324, 323, 452, 506, 149 of IPC, registered at Police Station Sadar, District Kapurthala, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

(SUDIP AHLUWALIA)
JUDGE

11.05.2018
Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No