

CRM-M No.38662 of 2017

Date of Decision : 11.05.2018

Sikander Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** Mr. Jasdev Singh Thind, Advocate
for the petitioners.

Mr. Davinder Bir Singh, DAG, Punjab.

Ms. Sushma Chopra, Advocate
for respondents No.2 to 5.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioners, who are the accused in F.I.R No.226, dated 15.08.2017, under Sections 324, 323, 341, 294, 148, 149 of the Indian Penal Code (for short 'IPC') (Section 326 of IPC added lateron), registered at Police Station Dakha, District Ludhiana Rural (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings, on the basis of compromise.

2. Vide orders dated 12.10.2017 and 20.02.2018, 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. District and Sessions Judge, Ludhiana vide Endorsement No.427/EC dated 09.05.2018. At the same time, it is seen from the enclosed documents that statement of the complainant-Baldev Singh was actually recorded by the Ld. Judicial Magistrate Ist Class, Ludhiana on 03.04.2018 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.226 dated 15.08.2017 under Sections 324, 323, 341, 294, 148, 149 of IPC (Section 326 of IPC added lateron) may be quashed. No person has been declared as proclaimed person in this case”.

3. Respondents No. 2 to 5 are represented by their counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. District and Sessions Judge, Ludhiana, 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/respondents No.3 to 5 have themselves compromised the dispute with the petitioners/accused.

5. In the circumstances, the present petition is allowed. F.I.R No.226, dated 15.08.2017 under Sections 324, 323, 341, 294, 148, 149 of IPC (Section 326 of IPC added lateron), registered at Police Station Dakha, District Ludhiana Rural, 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