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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.41612 of 2017
Date of Decision: 02.05.2018

Sukhbir Singh @ Sukhbir Kumar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: None for the petitioner.

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

None for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No.128, dated 20.04.2015, under Sections 452, 323, 506 and 500 of the Indian Penal Code, registered at Police Station Civil Lines, District Amritsar (Annexure P-1), has 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 Compromise Deed (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 Chief Judicial Magistrate, Amritsar, vide report

dated 10.01.2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Seen Report sent up by the Chief Judicial Magistrate, Amritsar.

[4]. Neither petitioner and respondent No. 2 nor their counsels are present. However, they have made their respective statements on 07.12.2017, before the Chief Judicial Magistrate, Amritsar, whereby they have admitted the factum of compromise with each other, voluntarily and without any pressure or coercion.

[5]. In terms of the report of the Chief Judicial Magistrate, Amritsar, 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.

[6]. In the circumstances, the present petition is allowed. F.I.R. No.128, dated 20.04.2015, under Sections 452, 323, 506 and 500 of the Indian Penal Code, registered at Police Station Civil Lines, District Amritsar (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

02.05.2018

Apurva

(SUDIP AHLUWALIA)
JUDGE

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