

247-6

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.44258 of 2016

Date of Decision: 07.02.2018

Kirpal Singh and others

..... Petitioners

Versus

Harnek Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Abhishek Sharma, Advocate, for
Mr. Jasraj Singh, Advocate for the petitioners.

Mr. H.S. Randhawa, Advocate for the respondent.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused persons in Criminal Complaint No.COMI/52137/2013, dated 24.01.2012, under Sections 420, 467, 468, 471, 34 and 120-B of the Indian Penal Code, have prayed for quashing of the complaint as well as summoning order, dated 14.08.2013, pending before the Court of Ld. Judicial Magistrate Ist Class, Patiala, with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the respondent 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 Ist Class, Patiala, vide report dated 27.02.2017, in connected case being CRM-M-43182-2016 titled "Gurmeet

Singh and another Vs. State of Punjab and another”, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure and in the said case FIR No.150 dated 13.12.2012 between the same parties has been quashed.

[3]. The respondent is represented by his counsel and does not oppose the compromise.

[4]. In view of the report of the Judicial Magistrate Ist Class, Patiala, in connected case being CRM-M-43182-2016, 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. Criminal Complaint No.COMI/52137/2013, dated 24.01.2012, under Sections 420, 467, 468, 471, 34 and 120-B of the Indian Penal Code as well as summoning order, dated 14.08.2013, pending before the Court of Ld. Judicial Magistrate Ist Class, Patiala, 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