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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.44711 of 2017
Date of Decision: 08.02.2018

Malkit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: None for the petitioner.

Mr. Manish Bansal, D.A.G., Haryana,
for respondent No.1-State.

None for respondent Nos.2 and 3.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. FIR No.106 dated 09.10.2013 under Sections 279, 337 & 338 of the IPC registered at Police Station Ramdas, District Amritsar (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

2. No one has put in appearance on behalf of the petitioner.

3. With the intervention of respectables and elderly people of the society, respondent Nos.2 and 3 have arrived at a settlement with the accused vide Compromise (Annexure P-2) which is duly signed by them. 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 First Class, Ajnala, vide report dated 20.12.2017, has apprised this Court that the compromise

arrived at between the parties is genuine and without any pressure.

4. Seen Report of Ld. Judicial Magistrate First Class, Ajnala.

5. Respondent Nos.2 and 3 are not present nor they are represented by their counsel. However, they have made a statement on 20.12.2018, before the Judicial Magistrate First Class, Ajnala, whereby they have admitted the factum of compromise with the accused and deposed that the compromise has been effected between them voluntarily and without any undue influence, coercion or pressure.

6. In view of the report of the Judicial Magistrate First Class, Ajnala, 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.

7. In the circumstances, the present petition is allowed. FIR No.106 dated 09.10.2013 under Sections 279, 337 & 338 of the IPC registered at Police Station Ramdas, District Amritsar (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

08.02.2018

Bhumika

(SUDIP AHLUWALIA)
JUDGE

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