

CRM-M No.45213 of 2017

Date of Decision : 28.05.2018

Ashwani Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** None for the petitioner.Mr. Davinder Bir Singh, DAG, Punjab
for respondent No.1-State.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioner, who is the accused person in F.I.R No.74, dated 03.06.2016, under Sections 279, 337 and 338 of the Indian Penal Code (for short "IPC"), registered at Police Station Model Town Hoshiarpur (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now the complainant has arrived at a settlement with the accused/s vide Compromise Deed (Annexure P-2), which is duly signed by her. 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 Ld. Judicial Magistrate 1st Class, Hoshiarpur, vide report dated 11.04.2018 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. None has appeared on behalf of the complainant/respondent No.2 and respondent No.3 which itself shows that they have no objection to the quashing of FIR.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, Hoshiarpur, 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.2 and respondent No.3 have themselves compromised the dispute with the petitioner/accused person.

5. In the circumstances, the present petition is allowed. F.I.R No.74, dated 03.06.2016, under Sections 279, 337 and 338 of IPC, registered at Police Station Model Town Hoshiarpur (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

(SUDIP AHLUWALIA)
JUDGE

28.05.2018

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No