

CRM-M No.45489 of 2017

Date of Decision : 25.05.2018

Major Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** Mr. Vinod Kumar Kaushal, Advocate
for the petitioner.Mr. Davinder Bir Singh, DAG, Punjab
for respondent No.1-State.Ms. Monika Payal, Advocate for
Mr. Prashant Vashisht, Advocate
for the complainant/respondents No.2 and 3.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioner, who is the accused person in F.I.R No.75, dated 15.06.2013, under Sections 279, 337, 338, 427 of the Indian Penal Code (for short "IPC"), registered at Police Station Chattiwind, District Amritsar Rural, Amritsar (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings pending 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 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 Ld. Judicial Magistrate 1st Class, Amritsar, vide report dated 13.03.2018 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No.2 and 3 are represented by their counsel who do not dispute the factum of compromise.

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

5. In the circumstances, the present petition is allowed. F.I.R No.75, dated 15.06.2013, under Sections 279, 337, 338, 427 of IPC, registered at Police Station Chattiwind, District Amritsar Rural, Amritsar (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

(SUDIP AHLUWALIA)
JUDGE

25.05.2018

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No