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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 45582 of 2017

Date of Decision: 05.02.2018

Kulwinder Singh @ Kulwinderjit Singh and others
Versus

..... Petitioners

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sarbjit Singh, Advocate,
for the petitioners.

Mr.Luvinder Sofat, AAG, Punjab.

None for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No.111, dated 21.09.2016, under Sections 323/324/427/148/149/295 of the Indian Penal Code, registered at Police Station Lopoke, Amritsar (Rural), (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, the complainant-respondent No.2 and injured-respondent No.3 have arrived at a settlement with the accused persons vide Affidavit/Compromise (Annexures P-2 and P-3), 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 Ist Class, Ludhiana, vide report dated 02.01.2018, 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 not present nor they are represented by their counsel. However, complainant-respondent No.2 and injured-respondent No.3 have made a statement on 02.01.2018 and 22.12.2017 receptively before the Judicial Magistrate Ist Class, Ludhiana, 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.

[4]. In view of the report of the Judicial Magistrate Ist Class, Ludhiana, 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.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.111, dated 21.09.2016, under Sections 323/324/427/148/149/295 of the Indian Penal Code, registered at Police Station Lopoke, Amritsar (Rural), (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

05.02.2018
Anjal

(SUDIP AHLUWALIA)
JUDGE

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