

330-A

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.46619 of 2017

Date of Decision: 15.01.2018

Balwinder Singh @ Kala Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Achin Gupta, Advocate,
for the petitioners.

Mr. K.S. Aulakh, D.A.,G., Punjab,
for respondent No.1.

Mr. Aminder Singh, Advocate, for
Mr. Naresh Kumar Manchanda, Advocate,
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No.81, dated 20.11.2012, under Sections 324/323/34 of the Indian Penal Code (later on added Section 326 of the Indian Penal Code), registered at Police Station Sadiq, District Faridkot, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings and for setting aside

judgment dated 27.04.2015, passed by Ld. Judicial Magistrate Ist Class, Faridkot, (Annexure P-3), on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise Writing (Annexure P-5), 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 Sessions Judge, Faridkot, 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]. Respondent No. 2 is represented by his counsel and he does not oppose the compromise.

[4]. In view of the report of the Sessions Judge, Faridkot, 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. F.I.R. No.81, dated 20.11.2012, under Sections 324/323/34 of the Indian Penal Code (later on added Section 326 of the Indian Penal Code), registered at Police Station Sadiq, District Faridkot, (Annexure P-1), and all consequential proceedings arising therefrom and the judgment dated

27.04.2015, passed by Ld. Judicial Magistrate Ist Class, Faridkot, (Annexure P-3), are hereby quashed on the basis of compromise qua the present petitioners.

15.01.2018

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

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