

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.47422 of 2017
Date of Decision : 08.05.2018**

Kesar Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Tejinder Pal Singh, Advocate
for the petitioner.

Mr. Luvinder Sofat, Asstt. Advocate General, Punjab
for respondent No.1-State.

Mr. G.S. Gill, Advocate
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is the accused in F.I.R No.97, dated 13th June, 2017, under Sections 279/338/427 of the Indian Penal Code, registered at Police Station Bhawanigarh, District Sangrur (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/respondent No.2 has arrived at a settlement with the accused 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. Addl. Chief Judicial Magistrate, Sangrur, vide report dated 26th March, 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 who does not dispute the factum of compromise.

4. In view of the report of the Ld. Addl. Chief Judicial Magistrate, Sangrur, 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.

5. In the circumstances, the present petition is allowed. F.I.R No.97, dated 13th June, 2017, under Sections 279/338/427 of the Indian Penal Code, registered at Police Station Bhawanigarh, District Sangrur (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

May 08, 2018
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No