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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.49360 of 2017
Date of Decision: 16.05.2018

Syed Abid Hussain and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. G.S. Verma, Advocate,
for the petitioners.

Mr. Davinderbir Singh, D.A.G., Punjab,
for respondent No.1.

None for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R. No.262, dated 28.07.2015, under Sections 420 and 120-B of the Indian Penal Code, registered at Police Station Focal Point, District Ludhiana (Annexure P-1), have 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, respondent No.2 has arrived at a settlement with the accused vide Affidavit (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 Chief Judicial Magistrate, Ludhiana, vide report dated 12.03.2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Neither respondent No. 2 nor his Counsel is present. However, he has made statement on 19.02.2018, before the Chief Judicial Magistrate, Ludhiana, whereby he has admitted the factum of compromise with the accused persons, voluntarily and without any undue influence or coercion.

[4]. In terms of the report of the Chief Judicial Magistrate, 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 petitioners/accused persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.262, dated 28.07.2015, under Sections 420 and 120-B of the Indian Penal Code, registered at Police Station Focal Point, District Ludhiana (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioners.

16.05.2018

Apurva

(SUDIP AHLUWALIA)
JUDGE

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