

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

**CRM-M No.49520 of 2017
Date of Decision: 08.05.2018**

Tejinder Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. S.P. Soi, Advocate,
for the petitioners.

Mr. Kirat S. Sidhu, Deputy Advocate General, Punjab
for respondent No.1-State.

Mr. Parvez Akhtar, Advocate
for respondents No.2 to 5.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused persons in F.I.R. No.160, dated 01.11.2014, under Sections 307, 325, 324, 323 of the Indian Penal Code, registered at Police Station Adampur, District Jalandhar have prayed for quashing of F.I.R. (Annexure P-1) with all subsequent proceedings, as also the order dated 04.10.2006 passed by the Ld. Addl. Sessions Judge (Adhoc), Jalandhar, whereby the petitioners have been convicted and sentenced.

[2]. The petitioners were convicted of the offences under Sections 307, 324, 326, 148, 149 of the Indian Penal Code by the Ld. Trial Court and were sentenced accordingly. Thereafter, an appeal was filed by them before this Court vide CRA-S No.2122-SB of 2006. During pendency of appeal,

the instant petition has been filed, since the parties concerned have arrived at a settlement. 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, Jalandhar, vide report dated 02.04.2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 to 5 are represented by their respective Counsel, who do not oppose the compromise.

[4]. In view of the report of the Ld. Judicial Magistrate, 1st Class, Jalandhar, 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 and other victims have themselves compromised the dispute with the petitioners/accused persons.

[5]. In the circumstances and in view of the decisions of the Supreme Court in **“Gulab Das Vs. State of M.P.”, 2012 (1) R.C.R. (Criminal) 220** and **“Mukesh Kumar Vs. State of Rajasthan”, 2013 (11) S.C.C. 511**, while sustaining conviction of the petitioners for the offences under Sections 307, 324, 326, 148, 149 of the Indian Penal Code, the matter is disposed off with a direction that no further sentence needs to be suffered by them nor any fine needs to be paid, apart from the sentence already

undergone by them. F.I.R. No.160, dated 01.11.2014, under Sections 307, 325, 324, 323 of the Indian Penal Code, registered at Police Station Adampur, District Jalandhar (Annexure P-1), and all consequential proceedings arising therefrom, are also hereby quashed on the basis of compromise *qua* the present petitioners.

May 08, 2018
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No