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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.49889 of 2017

Date of Decision: 07.03.2018

Shiv Kumar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Amandeep Singh Jawandha, Advocate,
for the petitioner.

Mr. Luvinder Sofat, A.A.G., Punjab,
for respondent No.1.

Ms. Dhriti J.Sharma, Advocate,
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No.61, dated 05.07.2017, under Section 420 of the Indian Penal Code, registered at Police Station Mullanpur Garibdass, District S.A.S. Nagar, Mohali, (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, respondent No.2 has arrived at a settlement with the accused vide

Compromise (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 Judicial Magistrate Ist Class, Kharar, vide report dated 09.02.2018, 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 Judicial Magistrate Ist Class, Kharar, 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.61, dated 05.07.2017, under Section 420 of the Indian Penal Code, registered at Police Station Mullanpur Garibdass, District S.A.S. Nagar, Mohali, (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

07.03.2018

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No