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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.8123 of 2018
Date of Decision: 17.05.2018

Jarnail Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Ms. Rajni Maurya, Advocate,
with Mr. Naveen Batra, Advocate
for the petitioners.

Mr. Davinder Bir Singh, Deputy Advocate General, Punjab,
for respondent No.1.

Mr. Vinod K. Kaushal, Advocate
for the respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in F.I.R. No.126, dated 31.08.2016, under Sections 379, 427, 447, 506 and 120-B of the Indian Penal Code, registered at Police Station Amloh, District Fatehgarh Sahib, (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, the complainant/respondent No.2 and accused have arrived at amicable settlement vide Compromise (Annexure P-2), which is duly signed by them. 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, Fatehgarh Sahib, vide report dated 13.04.2018, 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 have any objection to the quashing of FIR.

[4]. In view of the report of the Judicial Magistrate Ist Class, Fatehgarh Sahib, 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 person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.126, dated 31.08.2016, under Sections 379, 427, 447, 506 and 120-B of the Indian Penal Code, registered at Police Station Amloh, District Fatehgarh Sahib, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

17.05.2018
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(SUDIP AHLUWALIA)
JUDGE

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