

CRM-M No.8849 of 2018

Date of Decision : 15.05.2018

Gurmukh Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** Mr. Parminder Singh, Advocate
for the petitioners.Mr. Davinder Bir Singh, DAG, Punjab
for respondent No.1-State.Mr. Gaurav Goel, Advocate and
Mr. Amit Arora, Advocate
for the complainant/respondents No.2 and 3.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioners, who are the accused persons in Criminal Complaint No.361, dated 08.12.2011 (complaint No.20 dated 18.11.2014), under Sections 326/323/324 read with Section 34 of the Indian Penal Code (Annexure P-2), and summoning orders dated 20.01.2016 passed by the Ld. Judicial Magistrate, Ist Class, Tarn Taran (Annexure P-3), have prayed for quashing of the same with all subsequent proceedings pending therefrom, on the basis of compromise.

2. Now respondent No.2-complainant/injured and respondent No.3/victim have arrived at a settlement with the accused persons vide Compromise Deed (Annexure P-4), 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 Ld. Judicial Magistrate 1st Class, Tarn Taran, vide report dated

13.04.2018, which has been received in cross-case bearing CRM-M No.8879 of 2018, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No. 2 and 3 are represented by their counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, Tarn Taran, 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 respondent No.2-complainant/injured and respondent No.3/victim have themselves compromised the dispute with the petitioners/accused persons.

5. In the circumstances, the present petition is allowed. Criminal Complaint No.361, dated 08.12.2011 (complaint No.20 dated 18.11.2014), under Sections 326/323/324 read with Section 34 of the Indian Penal Code (Annexure P-2), and summoning orders dated 20.01.2016 passed by the Ld. Judicial Magistrate, Ist Class, Tarn Taran (Annexure P-3), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

(SUDIP AHLUWALIA)
JUDGE

15.05.2018

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No