

CRM-M No.8903 of 2018

Date of Decision : 15.05.2018

Binder Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** Mr. Surinder Garg, Advocate
for the petitioners.Mr. Davinder Bir Singh, DAG, Punjab
for respondent No.1-State.Mr. Surinder Gaur, Advocate
for the complainant/respondent No.2.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioners, who are the accused persons in FIR No.122, dated 03.10.2017, under Sections 307/341/427/148/149/120-B of the Indian Penal Code (Annexure P-1) and Sections 25/27/54/59 of the Arms Act (offences under Section 307 IPC and Sections 25/27/54/59 of the Arms Act have been deleted vide DDR No.41 dated 12.02.2018) (Annexure P-2), registered at Police Station Kotbhai, District Sri Muktsar Sahib, have prayed for quashing of F.I.R. with all subsequent proceedings pending therefrom, on the basis of compromise.

2. Now the complainant has arrived at a settlement with the accused/s vide Compromise Deed (Annexure P-3), 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 Ld. Judicial Magistrate 1st Class, Gidderbaha, vide report dated 11.04.2018 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 dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, Gidderbaha, 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. FIR No.122, dated 03.10.2017, under Sections 307/341/427/148/149/120-B of the Indian Penal Code (Annexure P-1) and Sections 25/27/54/59 of the Arms Act (offences under Section 307 IPC and Sections 25/27/54/59 of the Arms Act have been deleted vide DDR No.41 dated 12.02.2018) (Annexure P-2), registered at Police Station Kotbhai, District Sri Muktsar Sahib, 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