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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.9098 of 2018
Date of Decision: 16.05.2018

Gurnam Singh and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Rakesh Kumar, Advocate,
for the petitioners.

Mr. Davinderbir Singh, D.A.G., Punjab,
for respondent No.1.

Mr. Onkar Rai, Advocate,
for respondent No.2/complainant.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in Complaint No.106, dated 11.08.1990, titled as “Sub. Judge 1st Class Sultanpur Lodhi Vs. Gurnam Singh and others”, under Sections 193, 196, 466, 468, 471, 201 and 120-B of the Indian Penal Code read with Section 149 of the Indian Penal Code, which is pending in the Court of Chief Judicial Magistrate, Kapurthala (Annexure P-1), have prayed for quashing of Complaint 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-5) 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 Chief Judicial Magistrate, Kapurthala, vide report dated 26.04.2018, 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 oppose the compromise.

[4]. In terms of the report of the Chief Judicial Magistrate, Kapurthala, 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. Complaint No.106, dated 11.08.1990, titled as “Sub. Judge 1st Class Sultanpur Lodhi Vs. Gurnam Singh and others”, under Sections 193, 196, 466, 468, 471, 201 and 120-B of the Indian Penal Code read with Section 149 of the Indian Penal Code, which is pending in the Court of Chief Judicial Magistrate, Kapurthala (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioners.

16.05.2018

Apurva

(SUDIP AHLUWALIA)
JUDGE

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