

CRM-M No.9182 of 2018

Date of Decision : 30.05.2018

Rajiv Saini

.....Petitioner

versus

State of Punjab and another

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA**Present:** Mr. Amit Arora, Advocate
for the petitioner.Mr. Davinder Bir Singh, DAG, Punjab
for respondent No.1-State.Mr. P.S. Kanwar, Advocate
for the complainant/respondent No.2.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioner, who is accused in cross-case bearing D.D.R. No.27, dated 01.03.2013, under Sections 323/324 of the Indian Penal Code (for short 'IPC'), registered at Police Station Sadar, Hoshiarpur, (Annexure P-2), in case F.I.R. No.33, dated 27.02.2013, under Sections 325/34 of IPC, registered at Police Station Sadar Hoshiarpur, (Annexure P-1), have prayed for quashing of D.D.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise (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 Ist Class, Hoshiarpur vide report dated 10.05.2018 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 factum of compromise.

[4]. In view of the report of the Ld. Judicial Magistrate Ist Class, Hoshiarpur, 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 themselves compromised the dispute with the petitioner/accused person.

[5]. In the circumstances, the present petition is allowed. D.D.R. No.27, dated 01.03.2013, under Sections 323/324 of IPC, registered at Police Station Sadar, Hoshiarpur, (Annexure P-2), in case F.I.R. No.33, dated 27.02.2013, under Sections 325/34 of IPC, registered at Police Station Sadar Hoshiarpur, (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

(SUDIP AHLUWALIA)
JUDGE

30.05.2018
Neha

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No