

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-9411-2019

Date of Decision 06.03.2020

BALWINDER SINGH AND OTHERS

..... Petitioners

V/S

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Kamal Narula, Advocate for the petitioners.

Mr. Avtar Singh Sandhu, Addl. AG, Punjab.

Mr. Munish Gulati, Advocate for respondent No.2.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R No.169, dated 24.10.2017, under Sections 382, 341, 427, 506, 148 and 149 of the Indian Penal Code, registered at Police Station Sadar Fazilka, District Fazilka, have prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now the complainant has arrived at a settlement with the accused/petitioners vide Affidavit (Annexure P-2), which is duly signed by the complainant/respondent No.2. 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. Addl. Chief Judicial Magistrate, Fazilka, vide report dated 29.04.2019 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No. 2 is represented by his counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Addl. Chief Judicial Magistrate, Fazilka, 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. F.I.R No.169, dated 24.10.2017, under Sections 382, 341, 427, 506, 148 and 149 of the Indian Penal Code, registered at Police Station Sadar Fazilka, District Fazilka, with all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioners.

(SUDIP AHLUWALIA)
JUDGE

06.03.2020

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