

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26308-2019 (O&M)
Date of Decision:-7.12.2020

Saudagar Singh and others ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.K. Goel, Advocate for the petitioners.

Mr. Sukhbeer Singh, Assistant Advocate General, Punjab.

Ms. Ashmita Goel, Advocate for respondent No.2.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

This petition has been filed on behalf of the petitioners Saudagar Singh and others seeking quashing of FIR No.16 dated 22.1.2009 registered at Police Station Sahnewal, Ludhiana under Sections 326, 323, 324, 506, 509 and 148 read with Section 149 of Indian Penal Code on the ground that the matter has since been compromised amongst the parties.

This Court finds that in fact the trial in respect of the said FIR stood concluded and the petitioners were convicted vide judgment dated 27.09.2013 passed by the learned Additional Sessions Judge, Ludhiana and

the said judgment dated 27.09.2013 has been assailed separately by way of filing CRA-S No.3530-SB-2013, which is stated to be still pending.

Since this Court is also seized of the matter in hand in the aforesaid appeal, it would be appropriate that the petitioners move an application in the said appeal for disposal of the same on the basis of compromise rather than filing a parallel petition under Section 482 Cr.P.C.

At this stage, learned counsel for the petitioners submits that he may be permitted to withdraw the present petition at this stage with liberty to move an application in his appeal seeking the relief as claimed in the instant petition or for disposal of the appeal on the ground of compromise, which is stated to be still pending.

In view of the aforesaid submission, the present petition is dismissed as withdrawn with liberty aforesaid.

Needless to mention, the petitioners would be at liberty to place any document on record in the said application, if filed, including a copy of the compromise and copies of the statements recorded before the Magistrate towards the compromise.

7.12.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No