

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

CRM-M No.30258 of 2020

Date of Decision : 17.11.2020

Rahul Joshi

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Vishal Sharma (Vasudeva), Advocate
for the Petitioner.

Mr. Bhupinder Beniwal, Asstt. Advocate General, Punjab
for Respondent No.1.

Mr. Manjinder S. Saini, Advocate
for Respondents No.2 and 3.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the Petitioner, who is the accused in F.I.R No.172, dated 21.09.2019, under Sections 279, 337 and 427 of the Indian Penal Code, 1860 registered at Police Station City Hoshiarpur, District Hoshiarpur (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings pending therefrom, on the basis of compromise.

2. Now Respondents No.2 and 3 being the Complainant and the Victim have arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which is duly signed by Respondent No.2 herself and Daljit Singh father of Respondent No.3. However, Respondent No.3 has appeared in person before the Ld. Chief Judicial Magistrate, Hoshiarpur and made a Statement on 26.10.2020 whereby she has supported the

compromise. 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. Chief Judicial Magistrate, Hoshiarpur, vide report dated 06.11.2020 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No. 2 and 3 are represented by their Counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Chief Judicial Magistrate, 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/Respondents No.2 and 3 have themselves compromised the dispute with the Petitioner/accused.

5. In the circumstances, the present Petition is allowed. FF.I.R No.172, dated 21.09.2019, under Sections 279, 337 and 427 of the Indian Penal Code, 1860 registered at Police Station City Hoshiarpur, District Hoshiarpur (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioner.

November 17, 2020

Dpr

(SUDIP AHLUWALIA)
JUDGE

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