

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

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**CRM-M-51829-2019
Date of Decision 27.02.2020**

JAIPAL SINGH AND OTHERS**..... Petitioners****V/S****STATE OF PUNJAB AND OTHERS****..... Respondents****CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr. H. S. Batth, Advocate
for the petitioners.

Mr. A. S. Sandhu, Addl. A.G., Punjab.

Mr. Gaurav Kalsi, Advocate
for respondent Nos. 2 to 5.

SUDIP AHLUWALIA J. (ORAL)

The present petition has been filed for quashing the impugned judgment dated 01.08.2018, passed by the Judicial Magistrate 1st Class, Ludhiana in FIR No. 167 dated 05.08.2013, registered under Sections 323, 506, 201, 148 and 149 of the IPC at Police Station Dakha, District Ludhiana along with all the subsequent proceedings, on the basis of the compromise entered into between the parties.

2. Now the petitioners have arrived at a settlement with respondent Nos. 2 to 5/complainant and injured vide Compromise Deed (Annexure P-3), which is duly signed by them. 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 1st Class, Ludhiana, vide report dated 25.02.2020 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No. 2 to 5 are represented by their counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, Ludhiana, 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/private respondents themselves have compromised the dispute with the petitioners/accused persons.

5. In the circumstances, the present petition is allowed. Impugned judgment dated 01.08.2018, passed by the Judicial Magistrate 1st Class, Ludhiana in FIR No. 167 dated 05.08.2013, registered under Sections 323, 506, 201, 148 and 149 of the IPC at Police Station Dakha, District Ludhiana (Annexure P-2), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners. The petitioners are acquitted of the charge framed against them. Bail/surety bonds be discharged accordingly.

6. The appeal preferred by the petitioners, which is pending

before the Additional Sessions Judge, Ludhiana, shall be disposed off
in view of this order.

(SUDIP AHLUWALIA)
JUDGE

27.02.2020
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No