

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

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CRM-M-57183-2018
Date of Decision 26.02.2020

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

Present: Mr. Sandeep Kumar, Advocate for
Mr. R. S. Modi, Advocate
for the petitioners.

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

Mr. Mohd. Yousaf, Advocate
for respondent No. 2.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioners, who are the accused persons in cross case bearing DDR No. 40, dated 21.08.2018 in FIR No. 102, dated 22.08.2018, under Sections 341, 323, 148, 149 and 506 of the Indian Penal Code, registered at Police Station City-2 Malerkotla, District Sangrur (Annexure P-1), have prayed for quashing of cross case DDR, with all subsequent proceedings pending therefrom, on the basis of compromise.

2. Now the petitioners who are accused in the cross case DDR and the complainant therein who is also an accused in the FIR case, have arrived at a settlement with each other vide Compromise Deed (Annexure P-2), 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, Malerkotla, vide report dated 23.01.2019 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 dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, -, 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. DDR No. 40, dated 21.08.2018 in FIR No. 102, dated 22.08.2018, under Sections 341, 323, 148, 149 and 506 of the Indian Penal Code, registered at Police Station City-2 Malerkotla, District Sangrur (Annexure P-1), and all consequential proceedings arising therefrom, is hereby quashed *qua* the present petitioners.

(SUDIP AHLUWALIA)
JUDGE

26.02.2020

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