

**117-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.4682 of 2021
Date of Decision : 06.09.2021**

Raghbir Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Prateek Pandit, Advocate
 for the Petitioner.

 Mr. B.S. Sewak, Addl. A.G., Punjab
 for the Respondent/State.

 Mr. Nitin Rampal, Advocate
 for respondent No.2/complainant.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is the accused person in cross case vide report No.23 dated 02.10.2019, under Sections 452, 323, 324, 325, 326, 148 and 149 of the Indian Penal Code (offence under Section 452 IPC deleted later on) at Police Station Dhilwan, District Kapurthala (Annexure P-2) in F.I.R No.52, dated 02.10.2009, under Sections 307, 323, 324, 326, 148 and 149 of the Indian Penal Code (offence under Section 307 IPC deleted later on), registered at Police Station Dhilwan, District Kapurthala (Annexure P-1), has prayed for quashing of cross case as well as F.I.R. with all consequential proceedings, on the basis of compromise.

2. Now the complainant/respondent No.2 has arrived at a settlement with the accused person vide Compromise Deed (Annexure P-4), which is duly signed by him. 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, Ist Class, Kapurthala, vide report dated 16.04.2021 has apprised this Court that the compromise arrived at between the parties is genuine, voluntary and without any threat, pressure, coercion or undue influence.

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, Ist Class, Kapurthala, 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 petitioner/accused person.

5. In the circumstances, the present petition is allowed. Cross case vide report No.23 dated 02.10.2019, under Sections 452, 323, 324, 325, 326, 148 and 149 of the Indian Penal Code (offence under Section 452 IPC deleted later on) at Police Station Dhilwan, District Kapurthala (Annexure P-2) in F.I.R No.52, dated 02.10.2009, under Sections 307, 323, 324, 326, 148 and 149 of the Indian Penal Code (offence under Section 307 IPC deleted later on), registered at Police Station Dhilwan, District Kapurthala (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed qua the present petitioner.

06.09.2021

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(SUDIP AHLUWALIA)
JUDGE

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