

**CRM-5883-2021 in/and
CRM-M-20132-2019 (O&M)
Date of Decision: 02.03.2021**

Sanjeev Kumar @ Gaggi

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Amrit Singh Kang, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab

Mr. Nikhil Anand, Advocate,
for respondents no. 2 and 3.

AMOL RATTAN SINGH, J. (ORAL)

CRM-5883-2021

By this application, advancement of the date of hearing in the accompanying petition is sought, which otherwise stands adjourned to 29.04.2021, with learned counsel submitting that in fact the matter having been settled between the parties, even the statements in respect of the compromise reached have been recorded before the trial court.

It is in fact seen that the report of the learned Sub-Divisional Judicial Magistrate, Mukerian, dated 17.04.2020, is already on record.

Notice in the application.

On the asking of the court, Mr. Ramdeep Partap Singh, DAG, Punjab, accepts notice on behalf of respondent no. 1 (State), with Mr. Nikhil Anand, Advocate, appearing on behalf of respondents no. 2 and 3 and accepting notice.

In view of the above facts, with both learned counsel for the respondents not objecting to the date of hearing being advanced to today itself, the application is allowed and the date of hearing fixed in the accompanying petition is advanced to today itself.

CRM-M-20132-2019 (O&M)

By this petition, the petitioner seeks quashing, on the basis of a compromise arrived at between him and respondents no. 2 and 3, of FIR no. 30, dated 17.02.2018, registered at Police Station Mukerian, District Hoshiapur, for the alleged commission of offences punishable under the provisions of Sections 451/323/506/380/427/148/149 of the IPC, as also all other subsequent proceedings arising therefrom. A copy of the compromise deed has been annexed as Annexure P-2 with the petition.

Pursuant to the order dated 04.02.2020, as per the aforesaid report of the learned SDJM, respondent nos. 2 and 3, i.e. Rajinder Kumar and Anuradha, as also the petitioner, i.e. Sanjeev Kumar @ Gaggi, appeared before that court and stated that they have settled the matter amicably between them.

It has further been stated by the SDJM that the FIR had in fact been registered against the petitioner Sanjeev Kumar @ Gaggi and unknown persons, with Sanjeev Kumar not having been declared to be proclaimed offender, with him also not found to be involved in any other criminal case.

The investigating officer also stated before that court that there are only two victims/complainants, namely Rajinder Kumar and Anuradha, i.e. respondents no. 2 and 3 herein.

As per the assessment of that court the matter has been settled

between the parties, without any coercion or undue influence.

The separate statements of the petitioner as also of respondent nos. 2 and 3, i.e. Rajinder Kumar and Anuradha, have been annexed along with the report of the learned Magistrate.

Upon specific query to learned counsel for respondents no. 2 and 3, he submits that there is no other person against whom respondent no. 2 and 3 are aggrieved in any manner and consequently, they have no objection to the FIR itself being quashed.

In view of the above, also looking at the nature of offences, with the matter having been amicably settled between the parties, the petition is allowed and FIR No. 30 dated 17.02.2018, registered at Police Station Mukerian, District Hoshiarpur, for the alleged commission of offences punishable under the provisions of Sections 451/323/506/380/427/148/149 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

March 02, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.