

CRM-M No.37840 of 2020

Date of Decision : 24.03.2021

Sewa Singh & others

.....Petitioners

Versus

State of Punjab & others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Onkar Rai, Advocate for
Mr. Amit Arora, Advocate
for the Petitioners.

Mr. Sukhbeer Singh, Asstt. Advocate General, Punjab
for respondent No.1.

None for respondents No.2 & 3.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R No.176, dated 24.05.2020, under Sections 324, 452, 506, 148, 149 of the Indian Penal Code, 1860 registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now Respondents No.2 & 3, who are complainant and victim have arrived at a settlement with the accused persons vide Compromise (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. Chief Judicial Magistrate, Tarn Taran, vide report dated 09.12.2020 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 not present nor they are represented by their Counsel. However, Respondents No.2 and 3 have made statements on 09.12.2020, before the Ld. Chief Judicial Magistrate, Tarn Taran, whereby they have admitted the factum of compromise with the accused persons and deposed that the compromise has been effected between them voluntarily and without any undue influence, coercion or pressure. .

4. In view of the report of the Ld. Chief Judicial Magistrate, Tarn Taran, 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 Respondents No.2 & 3 have themselves compromised the dispute with the Petitioners/accused.

5. In the circumstances, the present petition is allowed. F.I.R No.176, dated 24.05.2020, under Sections 324, 452, 506, 148, 149 of the Indian Penal Code, 1860 registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present Petitioners.

24.03.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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