

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

CRM-M No.40499 of 2020

Date of Decision : 05.04.2021

Sonu @ Gudwa & another

.....Petitioners

Versus

State of Punjab & another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Judgepreet Singh Warring, Advocate
for the petitioners.

Mr. B.S. Sewak, Addl. A.G., Punjab.

None for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R No.96 dated 24.06.2020, under Sections 341, 342, 323, 34 of IPC (Annexure P-1) and DDR No.34 dated 09.07.2020 vide which Section 308 IPC added later on, registered at Police Station Bahawala, District Fazilka, (Annexure P-2), have prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused persons vide Compromise Deed (Annexure P-3), which is duly signed by both sides. 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, Abohar, vide report dated 15.01.2021 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No.2 is not present nor he is represented by his Counsel. However, Respondent No.2 has made statement on 21.01.2021, before the Ld. Judicial Magistrate, 1st Class, Abohar, whereby, he has 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. Judicial Magistrate, 1st Class, Abohar, 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 Respondent No.2 has himself compromised the dispute with the accused persons.

5. In the circumstances, the present petition is allowed. F.I.R No.96 dated 24.06.2020, under Sections 341, 342, 323, 34 of IPC (Annexure P-1) in DDR No.34 dated 09.07.2020 vide which Section 308 IPC added later on, registered at Police Station Bahawala, District Fazilka, (Annexure P-2), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

05.04.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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