

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

CRM-M No.29077 of 2020

Date of Decision : 15.01.2021

Nitin Gupta and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Deepak Gupta, Advocate
for the Petitioners.

Mr. B.S. Sewak, Addl. Advocate General, Punjab
for Respondent No.1/State.

None for Respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this Petition, the Petitioners, who are the accused persons in F.I.R No.131, dated 02.08.2018, under Sections 381, 420, 406, 120-B of the Indian Penal Code, registered at Police Station Lalru, District S.A.S. Nagar (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now the Complainant has arrived at a settlement with the accused persons vide Compromise/Affidavit (Annexure P-2), 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 1st Class, Dera Bassi, vide report dated 18.11.2020 has apprised this Court that

the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No.2/Complainant is not present nor he is represented by his counsel. However, he has made a statement on 16.11.2020, before the Judicial Magistrate 1st Class, Dera Bassi, 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, Dera Bassi, 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. F.I.R No.131, dated 02.08.2018, under Sections 381, 420, 406, 120-B of the Indian Penal Code, registered at Police Station Lalru, District S.A.S. Nagar (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present Petitioners.

January 15, 2021

Dpr

(SUDIP AHLUWALIA)
JUDGE

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