

CRM-M No.29389 of 2020

Date of Decision : 31.03.2021

Kushal Grover @ Lovish @ Lovi & others

.....Petitioners

Versus

State of Punjab & another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Karandeep S. Sidhu, Advocate
for the petitioners.

Ms. Monika Jalota, D.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.171 dated 28.09.2019, under Section 382 IPC, 1860, registered at Police Station City Kotkapura, District Faridkot (Annexure P-1), and G.D. No.40 dated 12.10.2019 (Annexure P-2), deleting Section 382 IPC and adding Section 394 IPC and also Final Report under Section 173(2) Cr.P.C. dated 20.11.2019 (Annexure P-3), along with report under Sections 25, 54, 59 of Arms Act, 1959, read with Section 394 IPC, 1860, 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 Panchayati Compromise (Annexure P-4), 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. Judicial Magistrate, 1st Class, Faridkot, vide report dated 07.01.2021 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 03.11.2020, before the Ld. Judicial Magistrate, 1st Class, Faridkot, 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. Judicial Magistrate, 1st Class, Faridkot, 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.171 dated 28.09.2019, under Section 382 IPC, 1860, registered at Police Station City Kotkapura, District Faridkot (Annexure P-1), and G.D. No.40 dated 12.10.2019 (Annexure P-2), deleting Section 382 IPC and adding

Section 394 IPC and also Final Report under Section 173(2) Cr.P.C. dated 20.11.2019 (Annexure P-3), along with report under Sections 25, 54, 59 of Arms Act, 1959, read with Section 394 IPC, 1860, and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

31.03.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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