

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

CRM-M-31630-2020

Date of Decision: 17.02.2021

BHUPINDER SINGH AND ORS

..... Petitioners

Versus

STATE OF PUNJAB AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Inderjit Sharma, Advocate for the petitioners.

Mr. B. S. Sewak, Addl. AG, Punjab.

Mr. Mukesh Bhatnagar, Advocate
for respondent No.2/Complainant.

SUDIP AHLUWALIA, J. (ORAL)

1. In this petition, the petitioners, who are the accused persons in F.I.R No.275, dated 24.10.2009, under Sections 341, 506, 323 and 34 of the Indian Penal Code (Section 452 IPC added later on), registered at Police Station Sadar Jalandhar, District Jalandhar (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/petitioners vide Compromise Deed (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. Addl. Chief Judicial Magistrate, Jalandhar, vide report dated 01.12.2020 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Ld. State Counsel submits that investigation of the case has already been completed and the parties have actually compromised the matter, in the mean time.

4. In view of the report sent up by the Ld. Addl. CJM, Jalandhar, already noted in the previous order that complainant/respondent No.2 has genuinely affected compromise with petitioners No.1 and 4. Petitioners No.2 and 3 did not appear for statements, matter is taken up qua petitioners No.1 and 4.

5. Respondent No. 2 is represented by his counsel who does not dispute the factum of compromise with petitioners No.1 and 4.

6. In view of the report of the Ld. Addl. Chief Judicial Magistrate, Jalandhar, 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.

7. In the circumstances, the present petition is allowed. F.I.R No.275, dated 24.10.2009, under Sections 341, 506, 323 and 34 of the Indian Penal Code (Section 452 IPC added later on), registered at Police Station Sadar Jalandhar, District Jalandhar (Annexure P-1), with all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioners No.1 and 4.

17.02.2021

Ali

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No