

CRM-M No.34297 of 2020

Date of Decision : 07.04.2021

Sat Pal Kalsi & others

.....Petitioners

Versus

State of Punjab & others

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIAPresent : Mr. Vaibhav Jain, Advocate
for the petitioners.

Mr. Saurav Khurana, D.A.G., Punjab.

Mr. Anil Kumar Spehia, Advocate
for respondent Nos.2 to 4.**SUDIP AHLUWALIA, J. (ORAL)**

In this petition, the petitioners, who are accused persons in Rapat No.35 dated 02.07.2018 under Sections 323, 341, 365, 511, 354, 149 IPC of 1860 (Annexure P-1), registered at Police Station Adampur, District Jalandhar Rural, in cross case FIR No.133, dated 02.07.2018 under Sections 323, 427, 149 of IPC, 1860 and Sections 3(i) (ii) (iv) of SC & ST (Prevention of Atrocities) Act, 1989, registered at Police Station Adampur, District Jalandhar Rural (Annexure P-2), have prayed for quashing of Rapat No.35 with all subsequent proceedings arising therefrom, on the basis of compromise.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide Compromise Deed (Annexure P-3), 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, Jalandhar, vide report dated 08.02.2021 has

apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent Nos.2 to 4 are represented by their Counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate, 1st Class, 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 Respondent Nos.2 to 4 have themselves compromised the dispute with the accused persons.

5. In the circumstances, the present petition is allowed. Rapat No.35 dated 02.07.2018 under Sections 323, 341, 365, 511, 354, 149 IPC of 1860 (Annexure P-1), registered at Police Station Adampur, District Jalandhar Rural, in cross case FIR No.133, dated 02.07.2018 under Sections 323, 427, 149 of IPC, 1860 and Sections 3(i) (ii) (iv) of SC & ST (Prevention of Atrocities) Act, 1989, registered at Police Station Adampur, District Jalandhar Rural (Annexure P-2), and all other consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

07.04.2021

Jitesh (JTS)

(SUDIP AHLUWALIA)

JUDGE

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