

CRM-M No.40531 of 2020

Date of Decision : 06.04.2021

Akshay Kumar & another

.....Petitioners

Versus

State of Punjab & another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Munish Garg, Advocate
for the petitioners.

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

Mr. Yashveer Kharb, Advocate
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in FIR No.0082, dated 22.05.2020, under Sections 323 and 324 of the Indian Penal Code (Section 326 of the Indian Penal Code, added later on), registered at Police Station Barnala (P.S. Sadar Barnala), District Barnala (Annexure P-1), 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-2), 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. Addl. Chief Judicial

Magistrate, Barnala, vide report dated 10.02.2021 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No.2 is represented by his Counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Addl. Chief Judicial Magistrate, Barnala, 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. FIR No.0082, dated 22.05.2020, under Sections 323 and 324 of the Indian Penal Code (Section 326 of the Indian Penal Code, added later on), registered at Police Station Barnala (P.S. Sadar Barnala), District Barnala(Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

06.04.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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