

CRM-M No.40552 of 2020
Date of Decision : 05.04.2021

.....Petitioners

Versus

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

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

Mr. B.S. Sewak, Addl. 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.150 dated 06.12.2017, under Sections 447, 511, 506, 336, 148, 149 of IPC, registered at Police Station Sadar Bathinda, District Bathinda (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 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. Civil Judge (Jr. Divn.)-cum-Judicial Magistrate, 1st Class, Bathinda, vide report dated 14.01.2021

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 11.01.2020, before the Ld. Civil Judge (Jr. Divn.)-cum-Judicial Magistrate, 1st Class, Bathinda, 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. Civil Judge (Jr. Divn.)-cum-Judicial Magistrate, 1st Class, Bathinda, 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.150 dated 06.12.2017, under Sections 447, 511, 506, 336, 148, 149 of IPC, registered at Police Station Sadar Bathinda, District Bathinda (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

05.04.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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