

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

113

**CRM-M-42143 of 2020
Date of Decision: 25.02.2021**

Bhupinder Singh @ Bhinda and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Rishu Mahajan, Advocate,
for the petitioners.

Mr. Ajay Kumar, Advocate,
for respondent no.2.

Shri Ravinder Singh, complainant in person.

Mr. Sandeep Singh Deol, DAG, Punjab

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed seeking quashing, on the basis of a compromise arrived at between the petitioners and respondent no.2, of FIR no.202 dated 17.12.2019, registered at Police Station Maqboolpura, District Amritsar, alleging therein the commission of offences punishable under Sections 323 and 341 of the IPC, read with Section 34 thereof. A copy of the compromise deed has been annexed as Annexure P-2 with the petition.

On 15.02.2021, the following order had been recorded by this court:-

“Case heard by video conference.

Pursuant to the order of this court dated 15.12.2020, the report of the learned JMIC, Amritsar, dated 12.02.2021, has been received, stating therein that the complainant in the FIR, i.e. respondent no.2 Ravinder Singh, appeared before that court, as did the petitioners, and recorded their statements to the effect that the matter has been compromised between them, with the complainant also stating that he has no objection to the FIR in question being quashed.

It has also been stated in the said report that as per the statement of the complainant, no other person except he and the accused “are involved in the present occurrence”.

Further, as per the assessment of that court, the compromise arrived at between the parties is genuine without any undue influence and coercion.

However, it is seen that despite notice having been ordered to be issued to respondent no.2, the report of the Registry is that even the process fee was not filed.

Consequently, learned counsel for the petitioner submits that respondent no.2 would be appearing in person, with his counsel, on the next date of hearing, to re-affirm his commitment to the compromise.

Adjourned to 25.02.2021.

To be shown in the urgent motion list.”

Today Mr. Ajay Kumar, Advocate, appears for respondent no.2 and has sent a power of attorney executed in his favour to the Reader of this court by way of a “Whatsapp communication”, with respondent no.2 (as identified by his counsel) also appearing separately on the video conference, though there is some problem in his audio connection.

Mr. Ajay Kumar, Advocate, reaffirms that respondent no.2 is committed to the compromise reached between the parties as has been recorded

before the learned JMIC, Amritsar, vide his report dated 12.02.2021.

Learned State counsel also submits that as per his instructions, there is no other case registered against the petitioners.

That being so, in view of the compromise reached even as per the report of the JMIC, and the looking at the nature of the offences alleged to have been committed, I would see no purpose in continuing with the criminal proceedings.

Consequently, the petition is allowed and FIR no.202, dated 17.12.2019, registered at Police Station Maqboolpura, District Amritsar, alleging therein the commission of offences punishable under Sections 323 and 341 of the IPC, read with Section 34 thereof, along with all proceedings emanating therefrom, is hereby quashed.

A photocopy of this order be also placed on the file of the other connected case.

February 25, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No