

CRM-M No.43402 of 2020

Date of Decision : 25.03.2021

Balkar Singh & another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Ranjodh Singh Sidhu, Advocate
for the petitioners.

Mr. P.S. Walia, A.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.145, dated 31.05.2020, under Sections 325, 323, 34 of IPC, registered at Police Station Sadar Patti, District Tarn Taran (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now complainant/Respondent No.2 has arrived at a settlement with the accused persons vide 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. Sub Judicial Magistrate, Patti, vide report dated 18.02.2021 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No.2 is not present nor he is represented by his

Counsel. However, Respondent No.2 has made statement on 22.01.2021, before the Ld. Sub Judicial Magistrate, Patti, whereby, he has 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. Sub Judicial Magistrate, Patti, 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.145, dated 31.05.2020, under Sections 325, 323, 34 of IPC, registered at Police Station Sadar Patti, District Tarn Taran (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present Petitioners.

25.03.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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