

224 **IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-51060-2019(O&M)

Date of Decision: 17.02.2021

BIKRAM SINGH @ BIKRAMJIT SINGH

..... Petitioner

Versus

BHARPUR SINGH AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Harvinder Pal Singh, Advocate for the petitioner.

 Mr. Naveen Kumar, Advocate for respondents No.1 and 3.

 Ms. Hem Lata Thakur, Advocate for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

1. In this petition, the petitioner, who is the accused person in Complaint No.COMI/239/2015 and 14T of 18.12.2015/14.10.2016 filed under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code, (Annexure P-1) and all subsequent proceedings arising therefrom including judgment of conviction and order of sentence dated 14.08.2019 (Annexure P-2) passed by the Ld. Sub Divisional Judicial Magistrate Nabha, District Patiala, on the basis of compromise dated 19.11.2019. Against the judgment of conviction, the petitioner has preferred an appeal which is pending before the Ld. Sessions Judge, Patiala.

2. Now the complainant and Secretaries of respective Societies (respondents No.2 and 3) have arrived at a settlement with the accused/petitioner 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, Nabha, vide report dated 28.01.2021 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No.1, 2 and 3 are represented by their respective counsel who do not dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, Nabha, 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 complainant has himself compromised the dispute with the petitioner/accused person.

5. In the circumstances, the present petition is allowed. Complaint No.COMI/239/2015 and 14T of 18.12.2015/14.10.2016 filed under Sections 406, 420, 467, 468 and 471 of the Indian Penal Code, (Annexure P-1) and all subsequent proceedings arising therefrom including judgment of conviction and order of sentence dated 14.08.2019 (Annexure P-2) passed by the Ld. Sub Divisional Judicial Magistrate Nabha, District Patiala, with all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioner.

17.02.2021

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(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No