

113 (1st case)

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

**CRM-M-1004-2019 (O&M)
Date of decision : 01.08.2023**

Charan Singh and another

... Petitioner(s)

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Suneet Pal Singh Aulakh, Advocate,
for the petitioners.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

Mr. Amandeep Singh Sidhu, Advocate,
for Mr. Veer Devinder Singh, Advocate,
for respondent No.2.

None for respondent No.3, despite service.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, '*the Cr.P.C.*'), praying for quashing of FIR No.231 dated 16.08.2010 (**P-1**), registered under Sections 341, 323, 506, 34 (Sections 325 & 201 added subsequently) of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station Payal, District Ludhiana, along with all consequential proceedings arising therefrom, including the judgment of conviction and order of sentence dated 09.12.2016 (**P-2**), passed by learned Sub Divisional Judicial Magistrate, Payal, on the basis of compromise dated 17.12.2018 (**P-3**), entered into between the parties i.e. petitioners as well as respondent No.2.

2. Concededly, an appeal against the judgment of conviction and order of sentence dated 09.12.2016, is still pending before learned Additional Sessions Judge, Ludhiana.
3. In view of the above, this Court is not inclined to entertain the present petition.
4. Faced with the above situation, learned counsel, on instructions from petitioner, wishes to withdraw the instant petition with liberty to pursue the appeal.
5. Ordered accordingly.
6. However, it is observed that there would be no harm if learned Appellate Court takes into consideration the compromise entered into between the petitioner and respondent No.2 while deciding the appeal. Learned Appellate Court is also requested to decide the matter expeditiously, if there is no legal impediment.

01.08.2023
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/ reasoned : *Yes / No*

Whether reportable : *Yes / No*