

CRM-M-9233-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(278)

CRM-M-9233-2023
Date of Decision:- 19.07.2023

Amaan Ahsan

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Dusyant Rana, Advocate for the petitioners.

Mr. A.P.S.Tung, DAG, Punjab for State-respondent No.1.

Mr. Jagjit Singh Chatrath, Advocate for respondents No.2 and 3.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.117 dated 16.12.2020, registered for offences under Sections 279, 427, 337 and 338 of the Indian Penal Code, 1860, at Police Station Mullanpur, SAS Nagar, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 26.01.2023, Annexure P-2, arrived at between the parties.

2. Pursuant to order dated 21.02.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“1. There is only person namely Amaan Ehsan arrayed as accused in the present case.

2. Yes challan has already been present (sic presented) in the Court against accused Amaan Ehsan.

3. No accused is declared as Proclaimed Offender in this case at any stage of trial.

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4. The present case is pending for prosecution evidence.

5. The compromise appears to be genuine, voluntary and without any coercion or undue influence.”

3. Counsel representing respondents No.2 and 3 does not have any objection in case the compromise is given effect to.

4. Heard counsel for the parties.

5. Dispute has been amicably resolved amongst the parties with the intervention of the respectables by virtue of compromise, Annexure P-2.

6. In view of the report given by the Trial Court and the judgment of the Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543* and a Full Bench of this Court in *Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

7. Accordingly, the petition is allowed. FIR No.117 dated 16.12.2020, registered for offences under Sections 279, 427, 337 and 338 of the Indian Penal Code, 1860, at Police Station Mullanpur, SAS Nagar, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

19.07.2023
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No