

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

**CRM-M-9796-2023
Date of decision: 11.10.2023**

Sukhi @ Sulkhan Singh and others

....Petitioners.

Versus

State of Punjab and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ruhab Goyal, Advocate,
for Mr. Angel Walia, Advocate,
for the petitioners.

Ms. Swati Batra, DAG, Punjab.

Mr. Saurabh Arora, Advocate,
for respondent No. 2.

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SANJIV BERRY, J. (ORAL)

Instant petition has been preferred seeking quashing of the complaint bearing No. COMI/44/2018 dated 01.02.2018 titled '*Rajinder Singh vs. Sukhi and others*' under Sections 307/326/324/323/325/341/506/148/149 IPC, registered at Police Station Kathunangal, Amritsar (Annexure P-1) and also the summoning order dated 09.01.2020 (Annexure P-2) summoning the petitioners under Sections 323/324/325/326/342/506/148/149 IPC, and all other subsequent proceedings arising therefrom on the basis of compromise dated 07.04.2021 (Annexure P-5), qua the petitioners.

2. It is, *inter alia*, submitted by learned counsel for the petitioners that initially the complaint (Annexure P-1) was registered against 09 accused, i.e., the present petitioners and one Sucha Singh, who has since died on 09.11.2020.

3. Learned counsel for the petitioners further contends that during the pendency of the proceedings, with the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 07.04.2021 (Annexure P-5), 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.

4. Learned Judicial Magistrate Ist Class, Amritsar, vide report dated 12.07.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

5. Respondent No. 2 is represented by his counsel and do not oppose the compromise.

6. It is worth mentioning that although the complaint (Annexure P-1) was filed against the petitioners by the complainant for the offences under Section 307/326/324/323/325/341/506/148/149 IPC, at Police Station Kathunangal, Amritsar, however, vide summoning order dated 09.01.2020 (Annexure P-2), the petitioners along with Sucha Singh, were summoned to face the trial for the offences under Sections 323/324/325/326/342/506/148/149 IPC. It is also evident from the record

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that accused Sucha Singh has died on 09.11.2020 and the proceedings qua him already stands abated leaving the present petitioners as accused in the present case.

7. Considering the above facts and circumstances as well as the aforesaid report of the learned Judicial Magistrate Ist Class, Amritsar, 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 respondent No. 2 has himself compromised the dispute with the petitioners/ accused persons.

8. In the circumstances, the present petition is allowed and the bearing No. COMI/44/2018 dated 01.02.2018 titled ‘*Rajinder Singh vs. Sukhi and others*’ under Sections 307/326/324/323/325/341/506/148/149 IPC, registered at Police Station Kathunangal, Amritsar (Annexure P-1) and also the summoning order dated 09.01.2020 (Annexure P-2) summoning the petitioners under Sections 323/324/325/326/342/506/148/149 IPC, and all other subsequent proceedings arising therefrom, qua the petitioners are hereby quashed on the basis of compromise dated 07.04.2021 (Annexure P-5).

11.10.2023
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(SANJIV BERRY)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No