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2023:PHHC:099243

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-11176-2021 (O&M)
Date of decision: 02.08.2023

Gurjit Singh @ Jony and others

....Petitioners.

Versus

State of Punjab and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. J.S. Chahal, Advcoate,
for the petitioners.

Mr. Harpreet Singh, Addl. AG, Punjab.

Mr. Raman Preet Singh, Advocate,
for respondents No. 2 and 3.

.....

SANJIV BERRY, J.

CRM-31298-2023

Instant application has been moved for impleading Ram Kumar son of Waryam Gir, as one of the respondents, to be specific respondent No. 3 in the petition, being one of the victim.

2. As per learned counsel for the petitioners, this being done in compliance to the order dated 30.11.2022 passed by this Court.

3. After hearing learned counsel for the petitioners and learned State counsel and keeping in view the averments made in the application, same is allowed. Ram Kumar son of Waryam Gir is ordered to be impleaded as respondent No. 3, subject to all just exceptions.

4. Amended memo of parties is taken on record.

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5. Registry to tag the same at appropriate place.

6. Disposed of.

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7. Mr. Ramanpreet Singh, Advocate, has entered appearance on behalf of respondent No. 3 and filed his vakalatnama in Court. The same is taken on record.

8. Learned counsel for the petitioners contends that present petition has been moved under Section 482 Cr. P.C. for quashing of FIR No. 180 dated 28.05.2020 under Sections 323, 452, 506, 34 IPC, registered at Police Station Sohana, Mohali, District SAS Nagar (Mohali) as well as consequent proceedings arising therefrom on the basis of compromise dated 16.02.2021 (Annexure P-2). 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.

9. Learned counsel for respondents No. 2 and 3 admits the factum of compromise dated 16.02.2021 (Annexure P-2) and further states that in pursuance to the order dated 10.03.2021, passed by this Court, respondent No. 3 along with the complainant-respondent No. 2 had suffered the statements admitting the factum of compromise before the learned Judicial Magistrate Ist Class, SAS Nagar (Mohali) on 06.04.2021.

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10. The report dated 27.04.2021 submitted by the Judicial Magistrate Ist Class, SAS Nagar (Mohali) has also been perused, wherein, the petitioners as well as respondents No. 2 and 3 have categorically admitted the factum of compromise dated 16.02.2021 (Annexure P-2)

11. In view of the aforesaid report of the Judicial Magistrate Ist Class, SAS Nagar (Mohali) 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 respondents have himself compromised the dispute with the petitioners/ accused persons.

12. In the circumstances, the present petition is allowed. FIR No. 180 dated 28.05.2020, under Sections 323, 452, 506 and 34 IPC, registered at Police Station Sohana, Mohali, District SAS Nagar (Mohali) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

02.08.2023

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i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No