

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

CRM-M-11622-2023

Date of decision: 02.08.2023

Pardeep Kumar @ Deepu and another

....Petitioners.

Versus

State of Punjab and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Ramandeep Kaur, Advocate,
for Mr. Varinder Basa, Advocate,
for the petitioners.

Mr. Harpreet Singh, Addl. AG, Punjab.

Ms. Yaseen Sethi, Advocate,
for respondent No. 2.

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SANJIV BERRY, J.

This is a petition filed under Section 482 of the Code of Criminal Procedure 1973 for quashing of FIR No. 97 dated 15.11.2020, under Sections 323, 324, 34 IPC, (Sections 325, 326 IPC added lateron), registered at Police Station Kotli Surat Mallian, District Batala, Gurdaspur, Punjab, along with all subsequent proceedings arising therefrom on the basis of compromise dated 28.03.2022 (Annexure P-2) effected between the parties.

[2]. Learned counsel for the petitioners, inter alia, contends that FIR in question was registered against three accused namely Pardeep Kumar @ Deepu, Karan Kumar and Satinder Pal. During the pendency of

the proceedings, Satinder Pal has expired and proceedings have been abated against him vide order dated 02.07.2022. Hence, the present petition filed by two accused namely Pardeep Kumar @ Deepu and Karan Kumar, the present petitioners, for quashing of the FIR in question.

[3] Learned counsel for the petitioners further contends that with the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 28.03.2022 (Annexure P-2), 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 Judicial Magistrate Ist Class, Batala, vide report dated 24.04.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[4]. Respondent No. 2 is represented by his counsel and does not oppose the compromise.

[5]. In view of the aforesaid report of the Judicial Magistrate Ist Class, Batala, 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 petitioners/accused persons.

[6]. In the circumstances, the present petition is allowed. FIR No. 97 dated 15.11.2020, under Sections 323, 324, 34 IPC, (Sections 325, 326 IPC added lateron), registered at Police Station Kotli Surat Mallian, District Batala, Gurdaspur, Punjab and all subsequent 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 |