

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

CRM-M-13653-2021

Date of decision: 01.05.2023

AKASH KUMAR AND OTHERS

....Petitioners.

Versus

STATE OF PUNJAB AND ANOTHER

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Surinder Garg, Advocate for the petitioners.

Ms. Kanica Sachdeva, Assistant Advocate General, Punjab.

Mr. A.P.S. Sidhu, Advocate for

Mr. Lalit Sharma, Advocate for respondent No.2.

SANJIV BERRY, J.

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 82 dated 13.05.2020, under Sections 452, 323, 148 and 149 IPC registered at Police Station Gidderbaha, District Sri Muktsar Sahib (Annexure P-1) and all consequential proceedings arising there from on the basis of compromise dated 10.02.2021 (Annexure P-2) executed between the parties.

2. Report dated 08.10.2021 from the Court of Sub-Divisional Judicial Magistrate, Gidderbaha received.

3. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 10.02.2021 (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. Sub Divisional Judicial Magistrate, Gidderbaha vide report dated 05.10.2021, 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 report of the Sub Divisional Judicial Magistrate, Gidderbaha, 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 complainants has himself compromised the dispute with the petitioners/accused persons.

6. In the circumstances, the present petition is allowed. FIR No. 82 dated 13.05.2020, under Sections 452, 323, 148 and 149 IPC registered at Police Station Gidderbaha, District Sri Muktsar Sahib (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

01.05.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |