

**243 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-15903-2021

Date of Decision: 25.04.2023

SHIVAM KALIA AND ANOTHER

...Petitioners

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. R.S. Dhaliwal, Advocate for
Mr. A.K. Gupta, Advocate
for the petitioners.

Ms. Kanica Sachdeva, AAG Punjab.

Mr. Sandeep Kapoor, Advocate
for respondent No.2.

SANJIV BERRY, J. (Oral)

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 129 dated 25.12.2019 under Sections 323, 324, 341, 148 & 149 IPC (Sections 148 & 149 deleted and Sections 326 and 34 IPC added later on) registered at Police Cantt, Jalandhar, Punjab (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 24.06.2020 (Annexure P-2) executed between the parties.

[2]. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 24.06.2020 (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 District and Sessions Judge, Jalandhar vide report dated 15.06.2021 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 is represented by their counsel and do not oppose the compromise.

[4]. In view of the report of the District and Sessions Judge, Jalandhar, 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.

[5]. In the circumstances, the present petition is allowed. FIR No. 129 dated 25.12.2019 under Sections 323, 324, 341, 148 & 149 IPC (Sections 148 & 149 deleted and Sections 326 and 34 IPC added later on) registered at Police Cantt, Jalandhar, Punjab (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise *qua* the present petitioners.

(SANJIV BERRY)
(JUDGE)

25.04.2023

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No