

218/2

2023:PHHC:080416

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21864-2023

Date of Decision: 01.06.2023

GOPI RAM AND OTHERS

...Petitioners

Vs.

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Rajat Dogra, Advocate for the petitioners.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Sarthak Jindal, Advocate for

Mr. Karanjeet Singh Brar, Advocate for respondent Nos. 2 & 3.

SANJIV BERRY, J. (Oral)

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of rapat vide GD No. 47 dated 03.05.2022 under Sections 323, 324, 148, 149 IPC (Section 325 IPC added later on) registered at Police Station Sadar Abohar, District Fazilka as cross version case of FIR No. 31 dated 03.05.2022 under Sections 451, 323 and 34 IPC registered at Police Station Sadar Abohar, District Fazilka (Annex. P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 30.03.2023 (Annex. P-3) executed between the parties.

[2]. The parties have arrived at a settlement vide compromise dated 30.03.2023 (Annexure P-3), 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 1st Class, Abohar, vide report dated 19.05.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent Nos. 2 & 3 is represented by the counsel and do not oppose the compromise.

[4]. In view of the report of the Judicial Magistrate 1st Class, Abohar, 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. GD No. 47 dated 03.05.2022 under Sections 323, 324, 148, 149 IPC (Section 325 IPC added later on) registered at Police Station Sadar Abohar, District Fazilka as cross version case of FIR No. 31 dated 03.05.2022 under Sections 451, 323 and 34 IPC registered at Police Station Sadar Abohar, District Fazilka (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise *qua* the present petitioners subject to cost of Rs.10,000/- to be paid by the petitioners within a period of one month from today. The cost shall be deposited in the following account:-

**Account Name-Punjab and Haryana High Court Bar
Association Lawyer's Family Welfare Fund
Account No. 41564846387
Bank Name-SBI High Court Branch.**

**(SANJIV BERRY)
(JUDGE)**

01.06.2023

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