

CRM-M-22994-2023

Date of Decision: 01.09.2023

OM PARKASH AND ANOTHER

...Petitioners

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Jugraj Singh, Advocate for
Mr. Vishal Mittal, Advocate
Mr. the petitioners.

Mr. Harpreet Singh, Addl. AG, Punjab.

Mr. Manwinder Singh, Advocate for
Mr. Mandeep Singh, Advocate
for respondent 2.

SANJIV BERRY, J. (Oral)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 15.03.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
0195	13.12.2022	420 & 120-B IPC and Section 13 of Punjab and Travel Professionals (Regulation) Act 2014.	Dasuya District Hoshiarpur, Punjab.

[2]. The parties have arrived at a settlement vide compromise/affidavit dated 15.03.2023 (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 Sub Divisional Judicial Magistrate, Dasuya, vide report dated 31.08.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

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

[4]. In view of the report of the Sub Divisional Judicial Magistrate, Dasuya, 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 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. 0195 dated 13.12.2022 under Sections 420 & 120-B IPC and Section 13 of Punjab and Travel Professionals (Regulation) Act 2014 registered at Police Station Dasuya District Hoshiarpur, 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)

01.09.2023

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