

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

CRM-M-23982-2023

Date of Decision: 24.07.2023

HEERA SINGH AND ORS

...Petitioners

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Anoop Singla, Advocate for
Mr. B.B.S. Randhawa, Advocate
for the petitioners.

Ms. Swati Batra, DAG, Punjab.

Mr. Piyush Setia, Advocate for
Mr. Rahul Prashar, Advocate
for respondent No.2.

SANJIV BERRY, J. (Oral)

Short reply dated 24.07.2023 by way of affidavit of Deputy Superintendent of Police, Sub Division, Sri Hargobindpur, Police District Batala, District Gurdaspur on behalf of respondent No.1 is filed in Court. The same is taken on record.

2. This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 0178 dated 22.07.2020 under Sections 326, 323, 34 IPC registered at Police Station Ghuman, Police District Batala (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 28.04.2023 (Annexure P-2) executed between the parties.

3. The parties have arrived at a settlement vide compromise dated 28.04.2023 (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 Judicial Magistrate, 1st Class-cum-Civil Judge, (Junior Division), Batala, vide report dated 20.06.2023, 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 the counsel and do not oppose the compromise.

5. In view of the report of the Judicial Magistrate, 1st Class-cum-Civil Judge, (Junior Division), 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.

6. In the circumstances, the present petition is allowed. FIR No. 0178 dated 22.07.2020 under Sections 326, 323, 34 IPC registered at Police Station Ghuman, Police District Batala (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise *qua* the present petitioners.

(SANJIV BERRY)
(JUDGE)

24.07.2023

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