

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

CRM-M-28740-2023

Date of decision: 25.07.2023

Vinod Kumar

....Petitioner.

Versus

State of Punjab and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ashish Gupta, Advocate, for the petitioner.

Mr. Harpreet Singh, Addl. AG, Punjab.

Mr. Varun Gupta, Advocate, for respondent No. 2.

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SANJIV BERRY, J.

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 26 dated 26.01.2023, under Sections 406, 420, 120-B IPC, registered at Police Station Baghapurana, District Moga, (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 08.05.2023, (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 08.05.2023 (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, Baghapurana, vide report dated 11/20.07.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any

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pressure and the petitioner has also deposited Rs. 25,000/- in the Poor Patients Welfare Fund, PGIMER, Chandigarh, as ordered vide order dated 01.06.2023.

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

[4]. In view of the report of the Sub Divisional Judicial Magistrate, Baghapurana, 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 petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. FIR No. 26 dated 26.01.2023, under Sections 406, 420, 120-B IPC, registered at Police Station Baghapurana, District Moga, (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed qua the present petitioner, on the basis of compromise dated 08.05.2023, (Annexure P-2).

(SANJIV BERRY)
JUDGE

25.07.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |