

CRM-M-30608-2019

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(258)

CRM-M-30608-2019
Date of Decision:- 07.12.2023

Darshan Singh

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. S.K.Choudhary, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab for State-respondent No.1.

Mr. P.K.Kishanpuri, Advocate for
Mr. Vikas Chander, Advocate for the respondent No.2.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.20 dated 03.03.2016, registered for offences under Sections 420 and 406, IPC, at Police Station Bagha Purana, District Moga, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of panchayati compromise dated 20.02.2019, Annexure P-2, arrived at between the parties.
2. Counsel for the petitioner submits that FIR, Annexure P-1, is a result of a petty dispute between the parties over purchase of a buffalo. Counsel submit that dispute has been amicably settled by panchayati compromise, Annexure P-2 and the parties have recorded their statements in support of the settlement.
3. Upon instructions, State counsel submits that trial is underway.
4. Counsel representing complainant-respondent No.2 does not have any objection in case the prayer made in the petition is acceded to.

5. Heard counsel for the parties.
6. Pursuant to order dated 22.01.2020 passed by this Court, report has been received from the learned Judicial Magistrate, relevant extract of which is as under:-

“XXXX. It is also submitted that having recorded the statements of the parties and after orally inquired (sic inquiring) from them, this Court is of the considered opinion that compromise effected between the parties is genuine, voluntarily and without any threat or coercion. Further submitted that as per the statement of concerned investigating officer, in this case only one accused namely Darshan Singh and he has not been declared proclaimed offender and Gulwant Singh is the only complainant/victim in this case.

7. In view of the report given by the learned Magistrate and the judgment of the Supreme Court in **Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543** and a Full Bench of this Court in **Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would bring an end to animosity, enabling the parties to lead a harmonious and peaceful life.
8. Accordingly, the petition is allowed. FIR No.20 dated 03.03.2016, registered for offences under Sections 420 and 406, IPC, at Police Station Bagha Purana, District Moga, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

07.12.2023 (SUVIR SEHGAL)
Kamal JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No