

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

CRM-M-35357-2023

Date of decision: 21.08.2023

Surjit Singh

....Petitioner.

Versus

The State of Punjab and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Rakesh Kumar, Advocate,
for Mr. S.S. Sarwara, Advocate, for the petitioner.

Mr. Harpreet Singh, Addl. AG, Punjab.

Ms. Palvi, Advocate,
for Mr. Sanjay Khan, Advocate, for respondent No.2 .

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SANJIV BERRY, J.

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 164 dated 15.05.2023 (Annexure P-1) under Sections 188, 427 IPC, registered at P.S. Sohana, SAS Nagar, District Mohali, and all consequential proceedings arising therefrom on the basis of compromise dated 01.03.2023 (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 01.03.2023 (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

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at between the parties. Learned Judicial Magistrate Ist Class, SAS Nagar, Mohali, vide report dated 11.08.2023 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 his counsel and does not oppose the compromise.

[4]. In view of the aforesaid report of the learned Judicial Magistrate Ist Class, SAS Nagar, Mohali, 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-respondent No. 2 has himself compromised the dispute with the petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. FIR No. 164 dated 15.05.2023 (Annexure P-1) under Sections 188, 427 IPC, registered at P.S. Sohana, SAS Nagar, District Mohali, and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise dated 01.03.2023 (Annexure P-2) qua the present petitioner.

(SANJIV BERRY)
JUDGE

21.08.2023
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I) Whether speaking/reasoned? Yes/No

ii) Whether reportable?

Yes/No