

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

CRM-M-35469-2023

Date of decision: 08.08.2023

Harvinder Singh @ Bindi and ors

....Petitioners.

Versus

State of Punjab and others

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. S.S. Swaich, Advocate, for the petitioners.

Mr. Harpreet Singh, Addl. AG, Punjab.

Mr. Maneet Kaushik, Advocate,
for Mr. Ashit Malik, Advocate,
for respondents No. 2 to 4.

.....

SANJIV BERRY, J.

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of criminal complaint No. CIS COMI-156/2018 dated 05.09.2018 CNR No. PBFG030063332018 titled as *Ranjit Singh Vs. Malkit Singh and others* under Sections 323, 452, 120-B, 148, 149 & 506 IPC registered at Police Station Bassi Pathana, District Fatehgarh Sahib, pending before CJM Fatehgarh Sahib (Annexure P-1), summoning order dated 07.02.2019 (Annexure P-2) and all consequential proceedings pursuant thereto including the charge order and charge dated 04.10.2022 (Annexure P-3) on the basis of compromise dated 25.05.2023 (Annexure P-5) executed between the parties.

CRM-M-35469-20232

-2-

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise dated 25.05.2023 (Annexure P-5), which is duly signed by them.

3. Vide order dated 25.07.2023, 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.

4. Pursuant thereto, a report dated 07.08.2023 has been received from Chief Judicial Magistrate, Fatehgarh Sahib, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

5. Learned State counsel and learned counsel appearing on behalf of respondents No.2 to 4 admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

6. In view of the report of the Chief Judicial Magistrate, Fatehgarh Sahib, 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 respondents have themselves compromised the dispute with the petitioners/accused persons.

CRM-M-35469-20232

-3-

7. In the circumstances, the present petition is allowed and criminal complaint No. CIS COMI-156/2018 dated 05.09.2018 CNR No. PBFG030063332018 titled as '*Ranjit Singh Vs. Malkit Singh and others*' under Sections 323, 452, 120-B, 148, 149 & 506 IPC registered at Police Station Bassi Pathana, District Fatehgarh Sahib, pending before CJM Fatehgarh Sahib (Annexure P-1), summoning order dated 07.02.2019 (Annexure P-2) and all consequential proceedings pursuant thereto including the charge order and charge dated 04.10.2022 (Annexure P-3) on the basis of compromise dated 25.05.2023 (Annexure P-5) executed between the parties are hereby quashed, however, subject to payment of costs of Rs.10,000/- (collectively) to be deposited by the petitioners within a period of 15 days from today with the Poor Patients Welfare Fund, PGIMER, Chandigarh.

8. It is made clear that the aforesaid quashing shall be subject to deposit of the cost stated above.

(SANJIV BERRY)
JUDGE

08.08.2023
preeti

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