

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

CRM-M-35423-2019

Date of Decision: 04.08.2023

BALJINDERPAL SINGH @ BILLA AND ORS

...Petitioners

Vs.

STATE OF PUNJAB AND ANR

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Abhinav Singh, Advocate for
Mr. Veneet Sharma, Advocate for the petitioners.

Mr. Harpeet Singh, Addl. AG, Punjab.

Mr. Deepak Aggarwal, Advocate for respondent No.2.

SANJIV BERRY, J. (Oral)

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 65 dated 08.06.2019 under Sections 308, 341, 325, 323, 148 & 149, IPC, registered at Police Station Nahianwala, District Bathinda (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 18.06.2019 (Annexure P-2) executed between the parties.

[2]. The parties have arrived at a settlement vide compromise dated 18.06.2019 (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, Bathinda, vide report dated 30.01.2020, 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 the counsel and does not oppose the compromise.

[4]. In view of the report of the Judicial Magistrate, 1st Class, Bathinda, 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.

[5]. In the circumstances, the present petition is allowed. FIR No. 65 dated 08.06.2019 under Sections 308, 341, 325, 323, 148 & 149, IPC, registered at Police Station Nahianwala, District Bathinda (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise *qua* the present petitioners, however, subject to payment of costs of Rs.25,000/- to be deposited by the petitioners with the Poor Patients Welfare Fund, PGIMER, Chandigarh.

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

(SANJIV BERRY)
(JUDGE)

04.08.2023

kv

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