

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-38956-2023
Date of decision: 12.12.2023

Harchand Singh and others

....Petitioners.

Versus

State of Punjab and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. G.S. Nagpal, Advocate,
for the petitioners.

Mr. Subhash Godara, Addl. AG, Punjab.

Mr. G.S. Bains, Advocate,
for respondent No. 2.

.....

SANJIV BERRY, J. (ORAL)

Instant petition has been preferred seeking quashing of the FIR (Annexure P-1), and all other subsequent proceedings arising therefrom on the basis of compromise dated 01.08.2023 (Annexure P-2) effected between the parties. Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
95	13.07.2023	420, 120-B IPC	P.S. Meharban, District Ludhiana

[2]. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 01.08.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the

CRM-M-38956-2023

-2-

parties and to report with respect to genuineness of the compromise arrived at between the parties.

[3]. A perusal of the file transpires that initially there were three accused/petitioners, namely Harchand Singh, Jaspal Singh and Manjit Singh and as per the report dated 21.09.2023 submitted by learned Judicial Magistrate Ist Class, Ludhiana, during the pendency of the proceedings, petitioner No. 1, namely Harchand Singh, has expired on 08.09.2023. It is further submitted that the compromise arrived at between the parties is genuine and without any pressure.

[4]. In compliance to the order dated 09.08.2023, learned counsel for the petitioners has also placed on record copy of receipt of Rs. 15,000/- dated 18.08.2023 deposited with the Punjab and Haryana High Court Bar Association Lawyer's Family Welfare Fund. The same is taken on record.

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

[6]. In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Ludhiana, 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 respondent No. 2 has himself compromised the dispute with the petitioners/ accused persons.

[7]. In the aforesaid facts and circumstances of the case, the present petition allowed. FIR No. 95 dated 13.07.2023 under Sections 420, 120-B IPC, registered at Police Station Meharban, District Ludhiana (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua petitioners No. 2 and 3, namely Jaspal Singh and Manjit Singh, respectively and further the fact that since petitioner No. 1, namely Harchand Singh, has expired on 08.09.2023, proceedings qua him stands abated.

12.12.2023
preeti

(SANJIV BERRY)
JUDGE

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