

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-39358-2023
Date of decision: 19.09.2023

SHAMSHER SINGH AND ORS.Petitioners

Versus

STATE OF PUNJAB AND OTHERSRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. J.S. Grewal, Advocate for the petitioners.
Mr. Harpreet Singh, Addl. A.G., Punjab.
Mr. Piyush Sharma, Advocate for the respondents No. 2 to 6.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 18.07.2023 (Annexure P-3) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
46	03.07.2023	452, 323, 148, 149 of IPC	Sadar Abohar, District Fazilka.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed/affidavit dated 18.07.2023 (Annexure P-3), 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

CRM-M-39358-2023

2

compromise arrived at between the parties. A copy of Receipt of costs of Rs. 20,000/- has been placed on record in compliance of the order dated 10.08.2023.

3. Judicial Magistrate Ist Class, Abohar, vide report dated 08.09.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

4. Respondents No. 2 to 6 are represented by their counsel and do not oppose the compromise.

5. In view of the report of the Judicial Magistrate Ist, Abohar, 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/ accused persons.

6. In the circumstances, the present petition is allowed. FIR No. 46 dated 03.07.2023, under Sections 452, 323, 148, 149 of IPC, registered at P.S. Sadar Abohar, District Fazilka (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

19.09.2023
kanika

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