

2023:PHHC:128756

CRM-M- 40475-2023
Date of decision: 04.10.2023

....Petitioners.

State of Punjab and others

....Respondents.

Present:- Mr. B.S. Jaswal, Advocate,
for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. Ramesh Sharma, Advocate,
for respondents No. 2 and 3.

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SANJIV BERRY, J. (ORAL)

Instant petition has been preferred seeking quashing of the cross case, i.e. DDR No. 6 dated 01.05.2022, under Sections 323 and 34 IPC, registered at Police Station Shahkot, District Jalandhar Rural (Annexure P-2) recorded in FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 07.07.2023 (Annexure P-3), executed between the parties. Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
103	30.04.2022	323, 427, 452, 148 and 149 IPC	P.S. Shahkot District Jalandhar Rural

[2]. Learned counsel for the petitioners, *inter alia*, contends that with the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 07.07.2023 (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 compromise arrived at between the parties.

[3] Learned Judicial Magistrate Ist Class, Nakodar, vide report dated 12.09.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[4]. Respondents No. 2 and 3 are represented by their counsel, i.e. Mr. Ramesh Sharma, Advocate, who has filed his power of attorney, which is taken on record and he do not oppose the compromise.

[5]. In view of the aforesaid report of learned Judicial Magistrate Ist Class, Nakodar, 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 No. 2 and 3 have themselves compromised the dispute with the petitioners/ accused persons.

[6]. In the circumstances, the present petition is allowed. DDR No. 6 dated 01.05.2022 under Sections 323 and 34 IPC, registered at

281-1

2023:PHHC:128756

CRM-M- 40475-2023

-3-

Police Station Shahkot, District Jalandhar Rural (Annexure P-2), recorded in the FIR in question (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

04.10.2023
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(SANJIV BERRY)
JUDGE

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