

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

270

CRM-M-40959-2023 (O&M)
Date of decision: 18.12.2023

JOGINDER SINGH AND ORS

....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Amit Dhawan, Advocate for the petitioners.

Mr. Aditya Kapoor, AAG Punjab.

Mr. Rishab Dhiman, Advocate for
Mr. Ramandeep Singh Brar, Advocate for respondent Nos.2 and 3.

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/settlement dated 18.11.2017 and 17.06.2023 (Annexures P-2 and P-3) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
385	12.11.2017	324, 323, 148, 149 IPC	Nakodar Sadar, District Jalandhar (Rural)

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 18.11.2017 and 17.06.2023 (Annexures P-2 and P-3), which are 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 learned Sub Divisional Judicial Magistrate, Nakodar vide

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report dated 13.10.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent Nos.2 and 3 are represented by their counsel and do not oppose the compromise.

4. In view of the aforesaid report of the learned Sub Divisional Judicial Magistrate, 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 complainant has himself compromised the dispute with the petitioners/accused persons.

5. In the circumstances, the present petition is allowed. FIR No.385 dated 12.11.2017 under Sections 324, 323, 148, 149 of IPC registered at Police Station Nakodar Sadar, District Jalandhar (Rural) (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

18.12.2023
S.Sharma(syr)

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/ No*