

N.C. No.2023:PHHC:157521

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

116+226

CRM-M-44180-2020 (O&M)
Date of decision: 08.12.2023

HARNEK SINGH @ HARNAIK SINGH AND OTHERS

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr.Gurkirat Singh, Advocate for the petitioners.

Mr. Aditya Kapoor, AAG Punjab.

Mr. Vikas Sharma, Advocate for
Ms. Srishtti S. Sharma, Advocate for respondent No.2 to 4.

SANJIV BERRY. J. (Oral)

CRM-44950-2023

Learned counsel for the petitioners does not press the instant application.

Dismissed as not pressed.

CRM-M-44180-2020

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 06.11.2020 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
76	05.08.2019	452, 323, 324, 506, 148 and 149 IPC	Chabbewal, District Hoshiarpur

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated

CRM-M-44180-2020 (O&M)

06.11.2020 (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 learned Judicial Magistrate First Class, Hoshiarpur vide report dated 29.11.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent Nos.2 to 4 are represented by their counsel and do not oppose the compromise.

4. In view of the aforesaid report of the Judicial Magistrate First Class, Hoshiarpur 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.76 dated 05.08.2019 under Sections 452, 323, 324, 506, 148 and 149 of IPC registered at Police Station Chabbewal, District Hoshiarpur (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

08.12.2023
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No