

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-44749-2023
Date of decision: 04.12.2023

SHAMSHER SINGH AND OTHERSPetitioners

Versus

STATE OF PUNJAB AND OTHERSRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Vishavjeet Gill, Advocate for
Mr. Navkaran S. Sandhu, Advocate for the petitioners.

Mr. Aditya Kapoor, AAG, Punjab.

Mr. Jitender K. Sehrawat, Advocate for
Mr. Tanvir Singh Grewal, Advocate for
respondents No.2 and 4.

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 10.08.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
71	29.08.2022	452, 459, 323, 325, 379, 427, 506, 148, 149, 411, 201 and 120-B of IPC and Section 452 and 325 deleted later on.	Sherpur, District Sangrur, Punjab.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed/affidavit dated 10.08.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of

CRM-M-44749-2023

2

statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. Judicial Magistrate Ist Class, Dhuri, vide report dated 30.10.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

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

4. In view of the report of the Judicial Magistrate Ist Class, Dhuri, 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. 71 dated 29.08.2022, under Sections 452, 459, 323, 325, 379, 427, 506, 148, 149, 411, 201 and 120-B of IPC and Section 452 and 325 deleted later on, registered at Police Station Sherpur, District Sangrur, Punjab (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

04.12.2023
kanika