

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-46077-2023
Date of decision: 05.10.2023

SURINDER KUMAR@ SURINDER SINGH@ NIKKU AND OTHERS

....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. J.S. Grewal, Advocate for
Mr. M.S. Saini, Advocate for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. Vishal Sharma, Advocate for respondents No.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/affidavit dated 18.08.2023 (Annexure P-3) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
106	29.06.2023	341, 323, 506, 148 of IPC	Garhshankar 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 18.08.2023 (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. It has been mentioned in the report that the petitioners have deposited cost of Rs.10,000/- in compliance to the order dated 20.09.2023.

3. The Sub-Divisional Judicial Magistrate, Garhshankar, vide report dated 04.10.2023, 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 and do not oppose the compromise.

5. In view of the report of the Sub-Divisional Judicial Magistrate, Garhshankar, 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. 106 dated 29.06.2023, under Sections 341, 323, 506, 148 of IPC, registered at Police Station Garhshankar 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

05.10.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |