

332-2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52651-2022
DECIDED ON: 02.11.2023

KULBIR SINGH AND OTHERSPETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY.

Present: Mr. Raghav Soni, Advocate for
Mr. Vikas Gupta, Advocate
for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. Vikasdeep Singh, 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/settlement dated 05.07.2022 (Annexure P-3) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
52	05.08.2021	326, 325, 323 and 34 of IPC	PS Khem Karan, District Tarn Taran

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 05.07.2022 (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. The Judicial Magistrate 1st Class, Patti vide report dated 05.10.2023 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 Judicial Magistrate 1st Class, Patti 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.52 dated 05.08.2021, under Sections 326, 325, 323 and 34 of IPC registered at Police Station Khem Karan, District Tarn Taran (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

02.11.2023

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(SANJIV BERRY)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No