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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-49828-2023 (O&M)
Date of Decision : 18.10.2023

Uggar Sain and AnotherPetitioners

VERSUS

State of Punjab and AnotherRespondents

CORAM : HON’BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Lovish Arora, Advocate for the petitioners.

Ms. Swati Batra, DAG Punjab for respondent No.1.

Mr. Jag Nahar Singh, Advocate for respondent No.2.

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SANJIV BERRY, J. (Oral)

Instant petition has been preferred seeking quashing of the FIR (Annexure P-1), and all other subsequent proceedings arising therefrom on the basis of compromise effected with the complainant by way of mutual settlement dated 28.09.2023 (Annexure P-5). Details of the FIR are as under: -

FIR No.	Dated	Sections	Police Station
160	02.09.2023	384 IPC Sections 403, 506 and 34 IPC were added later on vide DDR No.37, dated 18.09.2023	Mataur, District SAS Nagar (Mohali)

[2]. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 28.09.2023 (Annexure P-5), which is duly signed by them. The matter was

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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 Additional Chief Judicial Magistrate, SAS Nagar, Mohali, vide report dated 16.10.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 is represented by her counsel and does not oppose the compromise.

[4]. In view of the aforesaid report dated 16.10.2023 of the Additional Chief Judicial Magistrate, SAS Nagar, Mohali 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 complainants has himself compromised the dispute with the petitioners/ accused persons.

[5]. In the circumstances, the present petition is allowed. FIR No.160, dated 02.09.2023, registered under Section 384 of the Indian Penal Code, 1860 (Sections 403, 506 and 34 IPC were added later on vide DDR No.37, dated 18.09.2023) (Annexures P-1 and P-3) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

October 18, 2023
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(SANJIV BERRY)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No