225 2023:PHHC:146308

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-52603-2023
Date of decision: 17th November, 2023

Rohit Kumar

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. M.S. Dua, Advocate for the petitioner.
Mr. Anmol Singh Sandhu, AAG, Punjab.
Mr. Vishneet Singh Kathpal, Advocate
for respondents No. 2 and 3.

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SANJIV BERRY, J (Oral):

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 243 dated 20th August, 2023, under Sections 279, 337, 338, 427 of Indian Penal Code, 1860, registered at Police Station Islamabad, District Police Commissionerate Amritsar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 25th August, 2023 (Annexure P-2) executed between the parties.

[2]. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 25th August, 2023 (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 Judicial Magistrate 1st Class, Amritsar, vide report

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dated 9th November, 2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents Nos. 2 and 3 are represented by their counsel and do not oppose the compromise.

[4]. In view of the report of the Judicial Magistrate 1st Class, Amritsar, 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 petitioner/ accused person.

[5]. In the circumstances, the present petition is allowed. FIR No. 243 dated 20th August, 2023, under Sections 279, 337, 338, 427 of Indian Penal Code, 1860, registered at Police Station Islamabad, District Police Commissionerate Amritsar (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

[SANJIV BERRY]
JUDGE

17th November, 2023
Parveen Sharma

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No

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