

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53654-2023
DECIDED ON: 21.11.2023

RAKESH SHARMA @ RAKESH KUMAR
.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY.

Present: Mr. Pawan Sharma, Advocate
for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab.

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 17.08.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
13	01.07.2017	406 of IPC	NRI, Police Commissionerate Jalandhar

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 17.08.2023 (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 learned Chief Judicial Magistrate, (NRI Court), Jalandhar vide report dated 18.11.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

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

4. In view of the aforesaid report of the learned Chief Judicial Magistrate, (NRI Court), Jalandhar 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 persons.

5. In the circumstances, the present petition is allowed. FIR No.13 dated 01.07.2017, under Sections 406 of IPC registered at Police Station NRI, Police Commissionerate Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

21.11.2023

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(SANJIV BERRY)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No