

CRM-M-55219-2022 (O & M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-55219-2022 (O & M)

Date of decision: 27.04.2023

Satwinder Singh @ Sunny

... Petitioner

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Saurav Bhatia, Advocate,
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. M.S. Dhami, Advocate,
for respondent No.2 (since deceased through LRs)

JASJIT SINGH BEDI, J. (Oral)

CRM-18851-2023

The application for placing on record a copy of the order dated 25.04.2023 passed by the Chief Judicial Magistrate, District Shaheed Bhagat Singh Nagar as Annexure P-1, is allowed as prayed. The same is taken on record.

On the oral request of the learned counsel for the petitioner, the main case is taken up for hearing today itself.

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The prayer in the present petition is for the quashing of order dated 19.10.2016 (Annexure P-9) in FIR No.50 dated 10.05.2014 under Sections 279, 337, 338, 427 IPC registered at Police Station City SBS Nagar, District Shaheed Bhagat Singh Nagar vide which the petitioner was declared as proclaimed person as well as subsequent proceedings arising therefrom.

The learned counsel for the petitioner contends that a compromise has been effected with the LRs of the complainant-Ranjit Singh, who subsequently died of natural causes. He contends that in terms of the said compromise, a petition bearing CRM-M-4770-2023 came to be filed for quashing of the aforesaid FIR, in which the statement of the parties were recorded and the said FIR stands quashed vide order of the even date. He, therefore, contends that as the petitioner has surrendered and has since been granted bail vide order dated 12.12.2022 passed by the Chief Judicial Magistrate, SBS Nagar, the order dated 19.10.2016 (Annexure P-9) vide which he was declared a proclaimed person be also quashed.

The learned counsel for the complainant admits the aforementioned facts and contends that he has no objection, if the order (Annexure P-9) declaring the petitioner a proclaimed person is quashed as he has already surrendered.

The learned counsel for the State admits that a compromise has been arrived at between the parties, pursuant to which, two petitions came to be filed one for quashing of the FIR No.50 dated 10.05.2014 (Annexure P-1) on the basis of a compromise bearing CRM-M-4770-2023 and the present petition (CRM-M-55219-2022) for quashing of the impugned order

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(Annexure P-9) whereby the petitioner has been declared a proclaimed person .

I have heard the learned counsel for the parties.

As a compromise stands effected between the parties, consequently, the FIR in question has been quashed on the basis of the said compromise. Therefore, no useful purpose would be served by allowing the proceedings arising out of the order dated 19.10.2016 (Annexure P-9) to continue.

In view of the above, the order dated 19.10.2016 (Annexure P-9) and all subsequent proceedings arising therefrom are quashed qua the petitioner.

(JASJIT SINGH BEDI)
JUDGE

April 27, 2023
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No