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2023:PHHC: 145807
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-53693-2023

Date of decision: 16th November, 2023

Gurjant Singh and another

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. B.B.S. Randhawa, Advocate for the petitioners.
Mr. Aditya Kapoor, AAG, Punjab.
Mr. Rahul Kumar Prashar, Advocate for respondent No.2.

SANJIV BERRY, J (Oral):

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 121, dated 22nd November, 2022, under Sections 326, 325, 323, 148 and 149 of Indian Penal Code, 1860, registered at Police Station Qadian, Police District Batala (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 26th September, 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 26th September, 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, Batala, vide report dated 8th November, 2023, has apprised this Court that the compromise

arrived at between the parties is genuine and without any pressure. It is further reported that in compliance with the order dated 20th October, 2023, cost of ₹ 10,000/- has also been deposited.

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

[4]. In view of the report of the Judicial Magistrate 1st Class, Batala, 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. 121, dated 22nd November, 2022, under Sections 326, 325, 323, 148 and 149 of Indian Penal Code, 1860, registered at Police Station Qadian, Police District Batala (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

[SANJIV BERRY]
JUDGE

16th November, 2023
Parveen Sharma

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