

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-55583-2023 (O&M)  
DECIDED ON: 28.11.2023

SHIV SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY.

Present: Mr. M.S. Virk, Advocate  
for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab.

Mr. Harvinder Singh Tohra, Advocate  
for respondent No.2.

SANJIV BERRY, J (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 27.10.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

| FIR No. | Dated      | Sections                                                              | Police Station                      |
|---------|------------|-----------------------------------------------------------------------|-------------------------------------|
| 66      | 06.04.2022 | 408 of IPC and Sections 43 and 66 of Information Technology Act, 2000 | Phase-1, Mohali, District SAS Nagar |

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 27.10.2023 (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-cum-Addl. Civil Judge (Senior Division), SAS Nagar Mohali vide report dated 24.11.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

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

4. In view of the aforesaid report of the learned Chief Judicial Magistrate-cum-Addl. Civil Judge (Senior Division), 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 complainant has himself compromised the dispute with the petitioner/ accused persons.

5. In the circumstances, the present petition is allowed. FIR No.66 dated 06.04.2022, under Section 408 of IPC and Sections 43 and 66 of Information Technology Act, 2000 registered at Police Station Phase-1, Mohali, District SAS Nagar (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

28.11.2023

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(SANJIV BERRY)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |