

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-52138-2019

Date of Decision: 15.05.2023

PRABH SINGH @ PRABHKARAN SINGH AND ORS ...Petitioners

Vs.

STATE OF PUNJAB AND ANR

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Joginder Pal Devgan, Advocate for the petitioners.

Mr. Shubham Kaushik, AAG, Punjab.

Mr. Prashant Sethi, Advocate for
Mr. Karanvir Singh Sandhu, 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. 39 dated 31.10.2019 under Sections 323, 324, 325, 506, 452, 34 IPC (Section 326 IPC added later on) registered at Police Station Khem Karan, District Tarn Taran (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 26.11.2019 (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 dated 26.11.2019 (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 District and Sessions Judge, Tarn Taran, vide report dated 18.01.2021, 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 their counsel and do not oppose the compromise.

[4]. In view of the report of the District and Sessions Judge, Tarn Taran 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.

[5]. In the circumstances, the present petition is allowed. FIR No. 39 dated 31.10.2019 under Sections 323, 324, 325, 506, 452, 34 IPC (Section 326 IPC added later on) registered at Police Station Khem Karan, District Tarn Taran (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 26.11.2019 (Annexure P-2), are hereby quashed on the basis of compromise *qua* the present petitioners.

(SANJIV BERRY)
(JUDGE)

15.05.2023

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No