

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-180-2024
Date of decision: 30.01.2024

AMAN KUMAR @ AMANPetitioner

Versus

STATE OF PUNJAB AND ANOTHERRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Anand Kaushal, Advocate and
Mr. D.S. Gandhi, Advocate for the petitioner.

Mr. Harpreet Singh, Addl. A.G., Punjab.

Mr. Vivek Singla, Advocate for respondent No.2-complainant.

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 dated 21.09.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
08	21.01.2020	323, 452, 380 and 34 of IPC.	Division-D, Police Commissionerate, Amritsar, District Amritsar

2. Learned counsel for the petitioner submits that initially there were two accused namely Aman Kumar @ Aman and Danish Gill against whom FIR has been registered. He further submits that accused Danish Gill has died whereas statement of Aman Kumar @ Aman has been recorded.
3. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated

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21.09.2023 (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.

4. Judicial Magistrate Ist Class, Amritsar, vide report dated 24.01.2024, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

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

6. In view of the report of the Judicial Magistrate Ist Class, Amritsar, 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 person.

7. In the circumstances, the present petition is allowed. FIR No. 08 dated 21.01.2020, under Sections 323, 452, 380 and 34 of IPC of IPC, registered at Police Station Division-D, Police Commissionerate, Amritsar, District Amritsar (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

(SANJIV BERRY)
JUDGE

30.01.2024

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i) Whether speaking/reasoned?
ii) Whether reportable?

Yes/No
Yes/No