

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

333

CRM-M-3167-2024 (O&M)
Date of decision: 28.02.2024

AMIT KUMAR AND ORS

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Deepak Grover, Advocate for the petitioner(s).

Mr. Japjot Singh, AAG Punjab.

Mr. Neeraj Kalair, 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, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 15.01.2024 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
194	13.07.2017	323, 324, 506, 148 and 149 IPC (326 IPC added later on)	Daba, District Police Commissionerate, Ludhiana

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 15.01.2024 (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 First Class, Ludhiana vide report dated 13.02.2024 has

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apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. The petitioners have also deposited the cost of Rs.10,000/- in compliance to the order dated 20.01.2024.

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

4. In view of the aforesaid report of the Judicial Magistrate First Class, Ludhiana 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 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.194 dated 13.07.2017 under Sections 323, 324, 506, 148 and 149 IPC (326 IPC added later on) registered at Police Station Daba, District Ludhiana (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

28.02.2024
S.Sharma(syr)

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