

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-9808-2024
Date of decision: 19.03.2024

GURCHARAN SINGH @ CHARNA AND OTHERS ...Petitioners
Versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Tanvir Joshi, Advocate for the petitioners.
Mr. Ankit Grewal, DAG, Punjab.
Mr. Balkaran Singh Aulakh, Advocate
for the respondent No.2.

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SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of DDR (Annexure P-1) in FIR No.31 dated 07.06.2021 (Annexure P-2) and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 17.02.2024 (Annexure P-3) executed between the parties. Details of the FIR are as follows:

DDR No.	Dated	Sections	Police Station
33	07.06.2021	323, 324 and 34 IPC	Lakhewali, District Sri Muktsar Sahib

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise/affidavit dated 17.02.2024 (Annexure P-3), 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. Sub Divisional Judicial Magistrate, Malout,

vide report dated 13.03.2024, 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 report of the Sub Divisional Judicial Magistrate, Malout, 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. In compliance to the order dated 28.02.2024, an amount of Rs.5000/- has been deposited with the Punjab & Haryana High Court Bar Association Lawyer’s Family Welfare Fund and receipt thereof is annexed with the report.

5. In the circumstances, the present petition is allowed. DDR No. 33 dated 07.06.2021, under Sections 323, 324 and 34 IPC, registered at Police Station Lakhewali, District Sri Muktsar Sahib (Annexure P-1) in FIR No.31 dated 07.06.2021 (Annexure P-2) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

19.03.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |