

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-10862-2024
Date of decision: 21.03.2024

SACHIN SHARMA AND ANOTHERPetitioners

Versus

STATE OF PUNJAB AND ANOTHERRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Anmol Jeevan Singh Gill, Advocate for the petitioners.

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

Mr. P.B.S. Goraya, Advocate and
Mr. Ishma Randhawa, Advocate for respondents No.2 to 5.

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 (Annexure P-2 and Annexure P-3) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
16	27.01.2023	420, 120-B and 506 of IPC.	Jandiala, District Amritsar Rural.

2. Mr. P.B.S. Goraya, Advocate, has put in appearance on behalf of respondent No.2 and filed power of attorney, which is taken on record.

3. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed /affidavit (Annexure P-2 and 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

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compromise arrived at between the parties. As per report of learned trial Court, costs of Rs. 10,000/- has been deposited in compliance of the order dated 29.02.2024.

4. Judicial Magistrate Ist Class, Amritsar, vide report dated 15.03.2024, 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 petitioners/accused persons.

7. In the circumstances, the present petition is allowed. FIR No. 16 dated 27.01.2023, under Sections 420, 120-B and 506 of IPC, registered at Police Station Jandiala, District Amritsar Rural (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

21.03.2024
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