

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

315/2

CRM-M-15378-2021 (O&M)
Date of decision: 26.02.2024

SURJAN SINGH AND OTHERS

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Abhishek Kathpal, Advocate for
Mr. Sanjeev K. Uppal, Advocate for the petitioners.

Mr. Harpreet Singh, Additional AG Punjab.

Mr. Dhawaljeet Dutta, 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 09.03.2021 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
69	07.09.2019	452, 323, 324, 326, 427, 148 and 149 IPC	Qadian, District Batala, Punjab

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 09.03.2021 (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, Batala vide report dated 26.12.2023 has apprised

CRM-M-15378-2021 (O&M)

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 08.12.2023.

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, Batala 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.69 dated 07.09.2019 under Sections 452, 323, 324, 326, 427, 148 and 149 of IPC registered at Police Station Qadian, District Batala, Punjab (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

26.02.2024
S.Sharma(syr)

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