

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-21017-2023 (O&M)
Date of decision: 09.01.2024

PARBODH CHANDER JAIN AND OTHERS

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Rahul Sharma-I, Advocate for the petitioners.

Mr. Gurpreet Singh Sandhu, DAG Punjab.

Mr. Saurabh Kaushik, Advocate for
Mr. Rahul Soi, Advocate for respondent No.2.

SANJIV BERRY. J. (Oral)

CRM-48409-2023

Heard.

Keeping in view the averments made in the application, same is allowed. Judgment dated 24.08.2023 passed by learned Additional Pricipal Judge, Family Court, Ludhiana is taken on record, subject to just exceptions.

Disposed of.

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1. Reply dated 20.12.2023 filed in the form of an affidavit of Assistant Commissioner of Police (West), Ludhiana, is taken on record. Copy thereof has been supplied to learned counsel for the petitioners.
2. Report from the learned Trial Court dated 05.07.2023 has been received. Same is taken on record.
3. At the very outset, learned counsel for the petitioners gave a statement not pressing the present petition qua petitioner Nos.2 to 5, in view of the

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fact that the present FIR has not been registered against them.

4. Accordingly, the petition qua petitioner Nos.2 to 5 stands dismissed as withdrawn at this stage.

5. By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner No.1 seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 25.01.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
215	22.12.2019	406 and 420 IPC	Punjab Agriculture University (PAU), Ludhiana

6. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 25.01.2023 (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. The learned Judicial Magistrate First Class, Ludhiana vide report dated 05.07.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

7. Respondent No. 2 is represented by her counsel and does not oppose the compromise.

8. In view of the aforesaid report of the learned 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

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keeping the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

9. In the circumstances, the present petition is allowed qua petitioner No.1. FIR No.215 dated 22.12.2019 under Sections 406 and 420 of IPC registered at Police Station PAU, Ludhiana (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise.

(SANJIV BERRY)
JUDGE

09.01.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No