

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-25966-2023
Date of decision: 29.02.2024

TEJ BAHADUR AND OTHERS

Versus

STATE OF PUNJAB AND OTHERS

....Petitioners

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Dinesh Mahajan, Advocate
for the petitioners.

Mr. Harpreet Singh, Addl. AG, Punjab.

Ms. Rimple Saini, Advocate
for respondents No.2 to 4.

.....
SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 10.05.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
129	26.06.2021	452, 332, 353, 186, 148, 149 IPC and Section 3 of the Prevention of Damage to Public Property Act, 1984. (Section 452 deleted later on and Sections 458 and 333 IPC added later on).	P.S. Sujanpur, District Pathankot

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise dated 10.05.2023 (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. Chief Judicial Magistrate Pathankot, vide report dated 20.02.2024, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No. 2 to 4 are represented by their counsel and does not oppose the compromise.

4. In view of the report of the Chief Judicial Magistrate, Pathankot, 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 08.02.2024, an amount of Rs.10000/- has been deposited with the Punjab & Haryana High Court Bar Association Lawyer's Family Welfare Fund and Rs.5,000/- has been deposited with Punjab & Haryana High Court Bar Clerks Association and receipt thereof is annexed with the report.

5. In the circumstances, the present petition is allowed. FIR No. 129 dated 26.06.2021, under Sections 452, 332, 353, 186, 148, 149 IPC

(Section 452 deleted later on and Sections 458 and 333 IPC added later on)
registered at Police Station Sujanpur, District Pathankot (Annexure P-1)
and all consequential proceedings arising therefrom, are hereby quashed on
the basis of compromise qua the present petitioner.

29.02.2024
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(SANJIV BERRY)
JUDGE

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