

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-41304-2023 (O&M)
Date of decision: 14.05.2024

MALOOK SINGH ALIAS MALOOK CHAND AND OTHERS
....Petitioner(s)
Versus
STATE OF PUNJAB AND ANOTHER
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ramesh Chand Sharma, Advocate for the petitioner(s).
Mr. Adesh Pal Singh, AAG Punjab.
Mr. Ankit Bhardwaj, Advocate for
Mr. B.S. Jaswal, 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 16.07.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
04	21.01.2022	323, 326, 324, 506, 148 and 149 IPC	Begowal, District Kapurthala

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 16.07.2023 (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



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learned Sub-Divisional Judicial Magistrate, Bholath vide report dated 27.03.2024 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. It has been stated in the report that there are total 5 accused in the case out of which 3 happen to be the petitioners in the present case and as per the statement of ASI Baljinder Singh, Investigating Officer of the case, on the statement made by the complainant, cancellation report is submitted qua the other 2 accused. The petitioners have also deposited the cost of Rs.10,000/- in compliance to the order dated 12.03.2024.

3. Respondent No.2 is represented by his counsel and does not oppose the compromise.

4. In view of the aforesaid report of the learned Sub-Divisional Judicial Magistrate, Bholath 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.04 dated 21.01.2022 under Sections 323, 326, 324, 506, 148 and 149 of IPC registered at Police Station Begowal, District Kapurthala (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

14.05.2024

S.Sharma(syr)

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/ No