

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-44738-2023
Date of decision: 24.01.2024

RAKESH SINGH AND OTHERSPetitioners

Versus

STATE OF PUNJAB AND ANOTHERRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Sartaj Singh Thakur, Advocate for the petitioners.
Mr. Harpreet Singh, Addl. A.G., Punjab.

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/affidavit (Annexure P-4) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
0159	26.09.2022	353 and 186 of IPC	Mukerian, District Hoshiarpur.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed/affidavit (Annexure P-4), 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. A copy of Receipt of costs of Rs. 10,000/- has been placed on record in compliance of the order dated 06.09.2023.

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3. Sub-Divisional Judicial Magistrate, Mukerian, vide report dated 20.09.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

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

5. In view of the report of the Sub-Divisional Judicial Magistrate, Mukerian, 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.

6. In the circumstances, the present petition is allowed. FIR No. 0159 dated 26.09.2022, under Sections 353 and 186 of IPC, registered at Police Station Mukerian, District Hoshiarpur (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

24.01.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |