

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-49040-2024 (O&M)
Date of Decision:- 08.11.2024

GURMUKH SINGH AND ORS

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANR

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Shubkarman Kumar, Advocate for the petitioners.

Mr. Ankit Grewal, DAG Punjab.

Mr. Parunjeet Singh, Advocate for
Mr. Manoj Kaushik, Advocate for respondent No.2.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023, petitioners seek quashing of DDR
(Annexure P-2) registered in FIR No.42 dated 20.04.2022 under Sections
323, 324, 148, 149 of IPC registered at Police Station Dera Baba Nanak,
District Batala (Annexure P-1) and all consequential proceedings arising
therefrom on the basis of compromise/settlement dated 16.09.2024
(Annexure P-3) executed between the parties. Details of the DDR are as
follows:

DDR No.	Dated	Sections	Police Station
33	20.04.2022	323, 324, 148, 149 IPC; (326 IPC added later on)	Dera Baba Nanak, District Batala

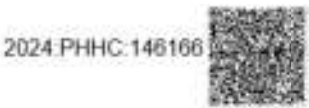


2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 16.09.2024 (Annexure P-3), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The learned Sub Divisional Judicial Magistrate, Batala vide report dated 28.10.2024 has apprised 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.20,000/- in compliance to the order dated 04.10.2024.

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, 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. DDR No.33 dated 20.04.2022 registered under Sections 323, 324, 148, 149 IPC (326 IPC added later on) at Police Station Dera Baba Nanak, District Batala (Annexure P-2) registered in FIR No.42 dated 20.04.2022 under Sections



323, 324, 148, 149 of IPC registered at Police Station Dera Baba Nanak, District Batala (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

08.11.2024
S.Sharma(syr)

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