

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
CRM-M-52642-2023
Date of decision: 22.02.2024

RAKESH KUMAR CHAUHAN AND OTHERS ...Petitioners

VS

STATE OF PUNJAB AND ANOTHER ...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Srishti S. Sharma, Advocate
 for the petitioners.

Mr. Harpreet Singh, Addl. AG, Punjab.

Mr. Gurkirat Singh, Advocate for respondent No.2.

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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 04.10.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
0079	26.04.2016	436, 34 IPC	P.S. Bhargo Camp, Police Commissionerate Jalandhar

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise dated 04.10.2023 (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 (NRI Court), Jalandhar,

vide report dated 09.02.2024, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

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

4. In view of the report of the Chief Judicial Magistrate (NRI Court), Jalandhar 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.

5. In the circumstances, the present petition is allowed. FIR No. 0079 dated 26.04.2016, under Sections 436 and 34 of IPC registered at Police Station Bhargo Camp, Police Commissionerate Jalandhar (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

22.02.2024
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(SANJIV BERRY)
JUDGE

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