

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Date of decision: 19.04.2024

(I) CRM-M-56372-2022

JAGTAR SINGH AND ORSPetitioners.

Versus

STATE OF PUNJAB AND ORSRespondents.

(II) CRM-M-12707-2024

JOBANJIT SINGH @ JOBANPetitioner.

Versus

STATE OF PUNJAB AND OTHERSRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Amit Arora, Advocate for the petitioner(s) in both cases.

Mr. Adesh Pal Singh, AAG, Punjab.

Ms. Muskan, Advocate for respondents No.2 and 3.

SANJIV BERRY, J. (ORAL)

This order shall dispose of the above mentioned two petitions bearing No. *CRM-M-56372-2022 and CRM-M-12707-2024*, as the same are arising out of the same FIR.

2. 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 21.09.2022 (Annexure P-2 in both petitions) executed between the parties.

Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
78	28.05.2022	336, 427, 506, 148 and 149 of IPC; 25 and 27 of the Arms Act, 1959	Jhabhal, District Tarn Taran.

3.

With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 21.09.2022 (Annexure P-2 in both petitions), 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. Judicial Magistrate First Class, Tarn Taran, vide report dated 18.04.2024, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.
4.

Respondents No. 2 and 3 are represented by their counsel and do not oppose the compromise.
5.

As per FIR, there were total four accused, namely Jagtar Singh, Balwinder Singh, Arman Singh and Jobanjit Singh @ Joban but three accused filed petition i.e. CRM-M-56372-2022 and one accused filed CRM-M-12707-2024. Now, learned Judicial Magistrate First Class, Tarn Taran, vide report dated 18.04.2022 has sent report regarding the genuineness of the compromise effected between the parties with respect to all of the four accused persons. A copy of Receipt of costs of

CRM-M-56372-2022 and CRM-M-12707-2024 3

Rs. 10,000/- has been placed on record in compliance of the order dated 18.03.2024.

6. In view of the report of the Judicial Magistrate First Class, Tarn Taran, vide report dated 18.04.2024, 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.

7. In the circumstances, the present petition is allowed. FIR No. 78 dated 28.05.2022, under Sections 336, 427, 506, 148 and 149 of IPC and Sections 25 and 27 of Arms Act, 1959, registered at Police Station Jhabhal, District Tarn Taran (Annexure P-1) qua petitioners Jagtar Singh, Balwinder Singh and Arman Singh in CRM-M-56372-2022, and qua petitioner Jobanjit Singh @ Joban in CRM-M-12707-2024, and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

19.04.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |