

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-57104-2023 (O&M)
Date of decision: 02.02.2024

BALWINDER SINGH @ BINDER AND OTHERS

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Ranwant Singh Sangha, Advocate for the petitioners.

Mr. Harpreet Singh, Additional AG Punjab.

Mr. Angrej Singh, Advocate for
Mr. Amitoj Singh, 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 06.10.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
82	13.05.2018	341, 323, 506, 148, 149 and 427 IPC	City Dirba, District Sangrur

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 06.10.2023 (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. The Judicial Magistrate First Class, Sunam vide report dated 29.01.2024 has apprised

this Court that the compromise arrived at between the parties is genuine and without any pressure. It has also been reported that the FIR in question already stands quashed qua remaining two co-accused by this Court vide order dated 10.12.2020 passed in CRM-M-25244-2020.

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

4. In view of the aforesaid report of the Judicial Magistrate First Class, Sunam 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.82 dated 13.05.2018 under Sections 341, 323, 506, 148, 149 and 427 IPC registered at Police Station City Dirba, District Sangrur (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

02.02.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No