

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

334/1

CRM-M-60244-2023 (O&M)
Date of decision: 18.01.2024

HARJIT SINGH ALIAS JITA AND ANOTHER

....Petitioner(s)

Versus

STATE OF PUNJAB AND ANR

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Abhishek Khullar, Advocate for the petitioners.

Mr. Harpreet Singh, Additional AG Punjab.

Mr. Dheeraj Mahajan, 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 DDR No.27 dated 19.10.2017 (Annexure P-1) registered under Sections 323, 324, and 34 of the IPC registered at Police Station Behrampur, District Gurdaspur as well as GD No.41 dated 04.12.2017 (Annexure P-2), whereby Section 325 IPC was added later on in FIR No.55 dated 02.11.2017 registered under Sections 324, 323, 34 IPC at Police Station Behrampur, District Gurdaspur (Annexure P-3) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 23.11.2023 (Annexure P-4) executed between the parties.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 23.11.2023 (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. The

learned Principal Magistrate, Juvenile Justice Board, Gurdaspur vide report dated 09.01.2024 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 aforesaid report of the learned Principal Magistrate, Juvenile Justice Board, Gurdaspur 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.27 dated 19.10.2017 (Annexure P-1) registered under Sections 323, 324, and 34 of the IPC registered at Police Station Behrampur, District Gurdaspur as well as GD No.41 dated 04.12.2017 (Annexure P-2), whereby Section 325 IPC was added later on in FIR No.55 dated 02.11.2017 registered under Sections 324, 323, 34 IPC at Police Station Behrampur, District Gurdaspur (Annexure P-3) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

(SANJIV BERRY)
JUDGE

18.01.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No